



Tuesday, April 7, 2020
REGULAR MEETING OF THE BOARD OF TRUSTEES

5:00 p.m. Closed Session
6:00 p.m. Public Session

**333 East 8th Street
Oakland, CA 94606**

>

The Board meeting will be streamed Live on Peralta's YouTube link:
https://www.youtube.com/channel/UCTEVyZCQ1p_yqMRafmQFUww

[illegible]

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/>

1. CLOSED SESSION

Subject	1.1 Public Comment on Closed Session Items
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
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	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

1. CLOSED SESSION

Subject	1.3 Public Employee Appointment (Government Code Section 54957)
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

1. CLOSED SESSION

Subject	1.4 Public Employee Discipline/Dismissal/Release
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public

1. CLOSED SESSION

Subject	1.5 Public Employee Evaluation
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public

1. CLOSED SESSION

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

Meeting Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

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.
- 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)) (9 cases).

2. OPEN SESSION

Subject	2.1 Call to Order
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural

2. OPEN SESSION

Subject	2.2 Pledge of Allegiance
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural

2. OPEN SESSION

Subject	2.3 Roll Call
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural

2. OPEN SESSION

Subject	2.4 Report of Action Taken in Closed Session
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

2. OPEN SESSION

Subject	2.5 Approval of the Agenda
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Apr 07, 2020
Absolute Date	Apr 07, 2020
Recommended Action	Recommend Approval of the April 7, 2020 Board agenda

2. OPEN SESSION

Subject	2.6 Approval of the Minutes
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action, Minutes
Preferred Date	Apr 07, 2020
Absolute Date	Apr 07, 2020
Fiscal Impact	No
Budgeted	No
Recommended Action	Motion to approve the March 24, 2020 Board Minutes.
Minutes	View Minutes for Mar 24, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

2. OPEN SESSION

Subject	2.7 Associated Student Government Reports
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

2. OPEN SESSION

Subject	2.8 Peralta Classified Senate Report
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

2. OPEN SESSION

Subject	2.9 District Academic Senate Report
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

2. OPEN SESSION

Subject 2.10 Public Communication

Meeting Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Information

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. 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. All public communication requests must be received prior to the Board's consideration of the item and are honored in the order the requests 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 in advance to the Board Clerk and shall not be distributed during the time of the meeting. Further direction is provided in Board Policy and Administrative Procedure 2345 Public Participation at Board Meetings.

In response to the shelter-in-place orders issued by state and local governments, Meetings of the Peralta Community College District Board of Trustees will be held through Zoom. Individuals interested in being recognized for public communication shall email the Board Clerk at bmartinez@peralta.edu

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

2. OPEN SESSION

Subject 2.11 Chancellor's Reports

Meeting Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Information

- Bond Ratings Report
- College Reports
- Report on Accreditation
- Report on Pandemic Response

File Attachments

[Laney College Board Report 040720 \(002\).pdf \(7,660 KB\)](#)

[COA April_7_Presidents_Report.pdf \(636 KB\)](#)

3. PRESENTATIONS

Subject 3.1 Security Presentation. Presenter: Vice Chancellor Sata

Meeting Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Information

TO: Peralta Board of Trustees

FROM:

PREPARED BY:

BACKGROUND/ANALYSIS:

DGS made a commitment to keeping the Board informed about the design of a security plan for the District. This presentation includes the results and findings from a 2017 security survey, an update from the Alameda County Sheriff's Office about commitments made in their last contract, and milestones and next steps towards completing the plan by June 2020.

File Attachments

200407 BOT_SecurityPresentation_Updates&NextSteps.pdf (270 KB)

200407 ACSO_Contract_ExhibitD.pdf (107 KB)

4. INFORMATIONAL ITEMS

Subject 4.1 First Reading on Proposed Board Policies. Presenter: Chancellor Stanback Stroud

Meeting Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Discussion, Information

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 1200 Mission** - went through and extensive review process at the four colleges and with district office personnel and was finalized at the Participatory Governance Council.
- **BP 5035 Withholding of Student Records** – This policy is being updated due to AB 1313.

File Attachments

[BP 1200 Mission \(rev 4-1-20\).pdf \(18 KB\)](#)

[BP 5035 Withholding of Student Records.doc \(26 KB\)](#)

5. CONSENT CALENDAR - CHANCELLOR

Subject 5.1 Consider Ratification of Monthly Contract Report. Presenter: Chancellor Stanback Stroud

Meeting Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Action

Preferred Date Apr 07, 2020

Absolute Date Apr 07, 2020

Fiscal Impact Yes

Budgeted Yes

Budget Source General Funds

Recommended Action Ratify Monthly Contract Report pursuant to AP 6340.

TO: Peralta Board of Trustees

FROM: Dr. Regina Stanback Stroud, Chancellor

PREPARED BY: Dr. Regina Stanback Stroud, Chancellor

BACKGROUND/ANALYSIS:

Consider Ratification of the Monthly Report of Contracts for the months of February 2020, March 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 for each contract can be found in the monthly report.

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.

File Attachments

BOT Contract Ratifications under 50k - March.pdf (60 KB)

5. CONSENT CALENDAR - CHANCELLOR

Subject 5.2 Consider Approval of the PCCD Mission Statement. Presenter: Chancellor Stanback Stroud

Meeting Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Action (Consent)

Preferred Date Apr 07, 2020

Absolute Date Apr 07, 2020

Fiscal Impact No

Recommended Action Approve the PCCD Mission Statement

TO: Peralta Board of Trustees

FROM: Dr. Regina Stanback Stroud, Chancellor

PREPARED BY: Dr. Regina Stanback Stroud, Chancellor

Background/Analysis:

The Accrediting Commission on Junior and Community Colleges (ACCJC) Standards and Eligibility Requirements call for institutions of higher education to periodically review and articulate the mission statement.

- **Standard 1.A.1:** The institution's educational mission is clearly defined, adopted, and published by its governing board consistent with its legal authorization, and is appropriate to a degree -granting institution of higher education and the constituency it seeks to serve. The mission statement defines institutional commitment to student learning and achievement (Standard 1.A.1 and 1.A.4)
- **Standard 1.A.4:** The institution articulates its mission in a widely published statement approved by the governing board. The mission statement is periodically reviewed and updated as necessary. (ER 6)
- **Eligibility Requirement 6:** The mission describes the institution's broad educational purposes, its intended student population, the types of degrees and other credentials it offers, and its commitment to student learning⁵ and student achievement. (ER 6)

Over the past year, a Peralta Governance Committee (PGC) taskforce led by Dr. Tina Vasconcellos (VP Student Services at College of Alameda) organized and conducted a PCCD mission statement review sessions at each of the four colleges as well as the district office. These sessions involved more than 150 students, classified professionals, full and part-time faculty as well as administrators allowing all voices to be included. Each of these sessions reviewed the current mission statement and developed a new one for district-wide consideration. PCCD employees were then invited to respond to a survey and indicate their preference of the five mission statements developed. We received 171 responses. The statement receiving the majority of votes was then presented to the PGC. PGC members worked with the statement and made modifications to address additional constituent input. The amended statement was recommended to the Chancellor by the Peralta Governance Committee by unanimous vote on March 27, 2020.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

The Chancellor recommends approval of the Mission Statement.

File Attachments

Approved Mission Statement March 27 2020[2].docx (22 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.

6. CONSENT CALENDAR - ACADEMIC AFFAIRS

Subject	6.1 Consider Approval of Professional Service Contract #15675 for Bay Area Rapid Transit (BART) Not to Exceed \$56,900; Presenter: President Karas
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Apr 07, 2020
Absolute Date	Apr 07, 2020
Fiscal Impact	Yes
Dollar Amount	\$56,900.25
Budgeted	Yes
Budget Source	Advanced Transportation Grant
Recommended Action	Approve Professional Service Contract #15675 for Bay Area Rapid Transit (BART) Not to Exceed \$56,900; Presenter: President Karas

TO: Board of Trustees

FROM: Dr. Tim Karas, CoA President

PREPARED BY: Dr. Tim Karas, CoA President

BACKGROUND/ANALYSIS:

Regional Director, Employer Engagement, Advanced Transportation and Logistics, Pam Gutman is hosted by College of Alameda. One of her responsibilities is to administer Employment Training Panel (ETP) reimbursements to public transportation agencies approved and certified for ETP. El Camino College is the fiscal agent for the ETP funds for community colleges statewide, and CoA has invoiced El Camino for the funds to reimburse BART.

The attached professional services contract ICC #15675 is to facilitate payment to BART for the reimbursement of \$56,900.25. Regional Director Gutman has reviewed training rosters and required documentation to verify eligibility for the reimbursement of \$56,900.25 to BART.

DELIVERABLES/SCOPE OF WORK:

Please see Appendix B for a detailed scope of work/annual workplan.

1. The overall goal of the Alternative and Renewable Fuel and Vehicle Technology program (sometimes referred to as **AB 118**) is to support a transition from petroleum-based transportation to alternative and renewable fuels and clean, low carbon vehicle technologies. There is no expenditure of Employment Training Tax funds for this program.
2. The intent of this agreement is to provide alternative fuel vehicle (AFV) training in a variety of clean air technologies for light and heavy duty vehicles including: hybrid-electric, electric, and compressed natural gas (CNG) systems. Training will reflect both general principles and manufacturer-specific systems.
3. BART agrees to participate in the Alternative and Renewable Fuel and Vehicle Technology Program **ET18-0800**.
4. Training for this program will be provided by qualified instructors from BART's professional training staff, and/or by recognized industry experts.
5. BART agrees to cooperate with College of Alameda in carrying out training and necessary administration activities. BART designates Kimberly White, Program Manager, Administration, to assist College of

Alameda in completing the ETP required records, including, but not limited to, documentation of training hours and certification of retention and employee/ trainee wage information.

6. BART will identify the employees to participate in the training and assures that it will include only those employees/trainees that meet the ETP eligibility criteria. The BART certifies that the individuals participating in the ETP-funded training are legally authorized to work in the United States and meet the minimum wage standard. All trainees must be considered full-time (minimum of 35 hours per week) permanent employees and earn at least \$16.44 per hour for Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Santa Cruz counties.
7. BART will provide facilities to conduct the classroom training on company premises. BART will provide all audio visual and other equipment needed to conduct training.
8. BART shall require employees to attend the requisite number of hours of classroom training for each course. BART shall promptly notify College of Alameda in care of ATL of problems that may arise and interfere with the ability of one or more individuals to successfully complete the training. BART is responsible for coaching and counseling the trainee(s) to ensure the successful completion of training by the trainee(s).
9. It is agreed that BART may register employees for approved classes in the Alternative and Renewable Fuel and Vehicle Technology Program, ET18-0800. It is agreed that should the actual number of completing trainees be less than the number of registered trainees, BART shall only be compensated for the actual number of completing trainees.
10. Reimbursement to BART for completing trainees shall be \$11.00 per training hour per trainee for commercial skills classes as defined by ETP policy and \$15.00 per training hour per trainee for advanced training classes as defined by ETP policy, up to a maximum of \$57,000 total reimbursement. All training must be completed by December 31, 2019. This agreement only applies to training that is a minimum of 4 hours and a maximum of 200 hours of training per employee.
11. BART Successful Completion is defined by ETP as completion of no less than 100% of the training hours by a trainee and the retention of that trainee in full-time employment by BART for no less than 90 consecutive days following the completion of the training, at or above the minimum wage standard as listed for relevant county in Appendix item #6. At the end of the retention period, College of Alameda will ask for verification of trainee's hourly wage and certification that they are still full-time employees. Should any enrolled participant fail to meet the 90-day retention period, BART will be responsible for paying 100% of the training cost for those trainees.
12. Reimbursement schedule:

Upon completion of the scheduled training, or no later than March 30, 2020, BART shall invoice College of Alameda for the training reimbursement amount. That amount is calculated using the guidelines in paragraphs 10 and 11, above.

ANTICIPATED COMPLETION DATE:

March 31, 2020

EVALUATION AND RECOMMENDED ACTION:

The College of Alameda President's Office has evaluated the deliverables to date for BART and found them to be satisfactory.

The Chancellor recommends approval.

File Attachments

BART ICC MEMO.pdf (40 KB)

COA BART Contract ETP Training 2.20.20.pdf (67 KB)

Bay Area Rapid Transit ICC#15675.pdf (280 KB)

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on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

Workflow

Workflow

Mar 3, 2020 4:43 PM :: Submitted by Teodora Washington. Routed to Tim Karas for approval.
Mar 5, 2020 12:55 PM :: Approved by Tim Karas. Routed to Adil Ahmed for approval.
Mar 6, 2020 6:06 PM :: Approved by Adil Ahmed. Routed to Legal Counsel for approval.
Apr 3, 2020 10:59 PM :: Approved by Legal Counsel. Routed to Regina Stanback Stroud for approval.
Apr 3, 2020 11:30 PM :: Forced Approval by Brenda Martinez as the document publisher.

6. CONSENT CALENDAR - ACADEMIC AFFAIRS

Subject	6.2 Consider Approval of Independent Contractor Agreement (ICC) Addendum #2 for \$10,000 for Maiesha Clipper Willis. Presenter: President Karas
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Apr 07, 2020
Absolute Date	Apr 07, 2020
Fiscal Impact	Yes
Dollar Amount	\$10,000.00
Budgeted	Yes
Budget Source	Carl Perkins- Merritt College
Recommended Action	Approve Independent Contractor Agreement (ICC) Addendum #2 for \$10,000 for Maiesha Clipper Willis

TO: Peralta Board of Trustees

FROM: Tim Karas

PREPARED BY: Tim Karas, CoA President

BACKGROUND/ANALYSIS:

The partnership with the Peralta Community College District (College of Alameda) and the ACWDB has been in existence for the past 16 years. In recent years, the funding award from the ACWDB has decreased. As such, the department hired consultants to meet the grant project outcomes. For the 2019-2020 program year, the career center worked on diversifying the funding the department receives by contracting with Merritt College to provide career services on their campus. The Merritt project MOU and Scope of Work was approved in December 2019 for work to begin Spring 2020. Miesha will be the lead COA Career Center team member (consultant) lead for this project.

Miesha Clipper Willis. Miesha is a Career Coach / Case Manager consultant for the College of Alameda Career and Employment Center / North Cities Career Center. Addendum #2 will focus on the College of Alameda and Merritt College CE Project. Miesha will be the lead COA Career Center team member (consultant) for the Merritt CE Project.

ICC 21104	Amount	Approved
Original	\$24,850	July 2019
Addendum #1	\$24,000	January 2020
Addendum #2	\$10,000	Pending
Total Amount:	\$58,850	

DELIVERABLES/SCOPE OF WORK:

Miesha Clipper Willis is currently an Independent Consultant providing career services for The College of Alameda Career and Employment Center / North Cities Career Center. We are requesting to add an additional \$10,000 to this existing purchase order to provide the following career services at Merritt College:

- Comprehensive Career coaching
- Creating Individualized Career Plans
- Job Search Assistance
- Hosting monthly onsite recruitment events

- Resume Support Assistance
- Assisting the Director with modifying career workshop curriculum based on feedback from faculty and students
Providing additional career coaching support after hours via Google Hangout and Zoom.

ANTICIPATED COMPLETION DATE:

June 30, 2020

EVALUATION AND RECOMMENDED ACTION:

CoA One-Stop Career Center has evaluated the deliverables to date for Maiesha Clipper Willis and found them to be satisfactory.

The Chancellor recommends approval.

File Attachments

[ICC Addendum Meisha Clipper Willis.pdf \(12,197 KB\)](#)

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Workflow**Workflow**

Mar 10, 2020 6:13 PM :: Submitted by Tim Karas. Routed to Tim Karas for approval.
Mar 10, 2020 6:14 PM :: Approved by Tim Karas. Routed to Adil Ahmed for approval.
Mar 20, 2020 11:46 PM :: Approved by Adil Ahmed. Routed to Legal Counsel for approval.
Apr 3, 2020 11:12 PM :: Approved by Legal Counsel. Routed to Regina Stanback Stroud for approval.
Apr 3, 2020 11:30 PM :: Forced Approval by Brenda Martinez as the document publisher.

7. CONSENT CALENDAR - FACILITIES

Subject	7.1 Consider Approval of Amendment No. 3 to the Agreement for Architectural Design Services with AE3 Partners, Inc. for the Merritt Childcare Center Project in the amount of Three Hundred, Twenty-Five Thousand, Seven Hundred, Eight and 00/100 Dollars (\$325,708.00). Presenter: Vice Chancellor Sata
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Apr 07, 2020
Absolute Date	Apr 07, 2020
Fiscal Impact	Yes
Dollar Amount	\$325,708.00
Budgeted	Yes
Budget Source	Measure A
Recommended Action	Approval of Amendment No.3 to the Agreement for Architectural Design Services with AE3 Partners, Inc. for the Merritt Childcare Center Project in the amount of Three Hundred, Twenty-Five Thousand, Seven Hundred, Eight and 00/100 Dollars (\$325,708.00).

TO: Peralta CCD Board of Trustees

FROM: Department of General Services

PREPARED BY: Vice Chancellor Sata

BACKGROUND/ANALYSIS:

The new Merritt College Child Development Center project is state and locally (bond) funded. The project consists of interior and exterior spaces dedicated to children that are receiving child care services. The Merritt College administration requested an upgrade to the academic program spaces to include a lab practicum for students that are in the Child Development program. For the purposes of funding, the State Chancellor's Office requested that the District submit two sets of architectural drawings, with the original state funded project drawings submitted independently of the locally funded Lab Practicum program. Amendment #3 is consists of two Additional Service Requests ("ASRs"), #6A in the amount of \$55,738 and #6B in the amount of \$269,970, for a total request of \$325,708.

The scope of work described in ASR #6A is the creation of a separate submission for the Lab Practicum project to the State Chancellor's Office. The scope of work described in ASR #6B is the update to the architect's contract, accommodating work scope modifications in design development, construction documentation, bidding, and contract administration. The overall scope and coordination of the projects is described below:

- The two projects will be developed in the Design Development and Construction Document phases at the same time.
- The Child Development Center (CDC) will be designed as a stand-alone building, requiring the project to include temporary exterior walls.
- The Lab Practicum project will be designed as an addition to the CDC project.
- Modifications will be required to the CDC project, satisfying the overall building project when the two projects are joined.
- The following phases will occur simultaneously to save time and effort:
 - The two projects will be submitted to the Department of the State Architect (DSA) at the same time;
 - DSA reviews and comment responses will occur at the same time;
 - The two projects will be bid and awarded at the same time;

- On January 22, 2019, the Governing Board approved an Agreement for Architectural/Engineering design services with AE3 Partners for the Merritt College CDC project in the amount of \$1,159,739. On November 10, 2019, the Governing Board approved Amendment #1 for a change in location to the project which required revisions to the conceptual design drawings in the amount of \$26,589. On December 10, 2019, the Governing Board approved Amendment #2 which included upgrades for lighting, acoustics, food services, and smart classrooms in the amount of \$89,520.

The Board is now asked to approved Amendment #3 in the amount of \$325,708, allowing the Architectural and Engineering team to meet the requirements of the State Chancellor's Office and DSA, for the provisioning of design services to include the Lab Practicum in a manner acceptable to the State Chancellor's Office. The new contract total will be **\$1,601,556** and the contract duration will be valid through December 31, 2022.

<i>Contract</i>	<i>Description</i>	<i>Amount</i>	<i>Board Approved</i>
Base	Base contract for AE3 Architects for project services	\$1,159,739	January 22, 2019
Amendment #1	Design to accomodate location Change	\$26,589	November 12, 2019
Amendment #2	Design to include lighting, acoustics, food service, and smart classroom technology	\$89,520	December 12, 2019
ASR #6A	Documentation of separate submission of Lab Practicum to State Chancellor's Office	\$55,738	Pending
ASR #6B	Design to modify drawings (DD phase onward) to meet project requirements	\$269,970	Pending
Amended Contract Total, including Amendments #1, #2 and #3		\$1,601,556	

Vendor Name and Contact Information:

AE3 PARTNERS, INC.

11 Embarcadero West, Suite 205
Oakland, Ca 94607
(510) 539-9991
www.ae3partners.com

AE3 Partners is a local Oakland based company, with an additional office in San Francisco (275 Battery Street, Suite 1050, San Francisco, CA 94111, phone (415) 233-9991. AE3 qualifies as SLBE partner. AE3 has a student internship program for a qualified PCCD student. The Principals are Rick Dumas and Douglas A. Davis, AIA.

DELIVERABLES/SCOPE OF WORK:

The scope of work of the contract includes:

- Schematic and Design Development phases
- Construction Document, Bidding and Construction Administration phases
- Construction close out services, and State form submissions
- Plans and specifications, including specialty services
- Construction Documentation;
- Various design, documentation and coordination activities required for project completion;
- Understanding and adherence to all State funding requirements; and
- The scope of contract amendments #1 through #3 as described above.

ANTICIPATED COMPLETION DATE:

Anticipated completion for the project is December 31, 2022.

EVALUATION AND RECOMMENDED ACTION:

The Project Manager, Program Manager, Vice Chancellor of General Services, and the Chancellor recommend approval of Amendment No. 3 to the Agreement for Architectural Design Services with AE3 Partners, Inc. for the Merritt Child Development Center project in the amount of **\$325,708**, and a time extension through **December 31, 2022**.

File Attachments

BOT-Amendment 3 to AE3 Partners Contract for Merritt Child Care Center_3531440_1(DMS).pdf (427 KB)
2020-03-19 Amendment 3 to AE3 Partners Contract for Merritt Child Care Center_3531440_1(DMS).DOCX (446 KB)
AE3 Partners- Exec Agreement- \$1,159,739.pdf (2,773 KB)
Amendment No. 1 AE3 Partners.pdf (126 KB)
Amendment 2- AE3 Partners_3482912_1(DMS).pdf (824 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.

Workflow

Workflow

Mar 19, 2020 4:16 PM :: Submitted by Jamille Teer. Routed to Jamille Teer for approval.
Mar 19, 2020 4:43 PM :: Approved by Jamille Teer. Routed to Leigh Sata for approval.
Mar 30, 2020 5:43 PM :: Approved by Leigh Sata. Routed to Adil Ahmed for approval.
Apr 2, 2020 3:46 PM :: Approved by Adil Ahmed. Routed to Regina Stanback Stroud for approval.
Apr 3, 2020 10:39 AM :: Forced Approval by Brenda Martinez as the document publisher.

7. CONSENT CALENDAR - FACILITIES

Subject	7.2 Consider approval for Purchase Agreement with Fast Signs, for ADA Evacuation Signage at Berkeley City College for an amount not-to-exceed Two Thousand, Seven Hundred, Seventy-Two, and 76/100 Dollars (\$2,772.76). Presenter: Vice Chancellor Sata
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Apr 07, 2020
Absolute Date	Apr 07, 2020
Fiscal Impact	Yes
Dollar Amount	\$2,772.76
Budgeted	Yes
Budget Source	Measure A
Recommended Action	Approval of Purchase Agreement with Fast Signs, for ADA Evacuation Signage at Berkeley City College for an amount not-to-exceed Two Thousand, Seven Hundred, Seventy-Two, and 76/100 Dollars (\$2,772.76).

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Vice Chancellor Sata

BACKGROUND/ANALYSIS: Following a settlement agreement reached in *Delson vs. Peralta Community College District*, a civil case regarding ADA compliance, and under the direction of Vice Chancellor Sata, the District formed an ADA Compliance Strike Team. The ADA Compliance Strike Team was convened in order to ensure the District performed the remedial measures and developed appropriate administrative procedures (as outlined in the settlement agreement) in a timely manner.

Several of the remedial measures specified in the settlement agreement include retention of an outside contractor to fabricate ADA evacuation signage. Because the cost is below the bid threshold, the ADA Compliance Strike Team solicited a proposal from Fast Signs for this work. The Contract is necessary to ensure District compliance with ADA and Title 24 requirements and the settlement agreement.

Fast Sign's proposal is outlined in Table 1.1, along with all current agreements with the District.

Table 1.1

Document	Approved Amount	Date of Board Approval
Agreement for ADA Compliant Signage Theater, Music Building and Student Center at Laney College Campus	\$9,906.95	August 15, 2019
Agreement for ADA Compliant Signage Overall Laney College Campus, except areas mentioned above, dated November 1, 2019	\$127,364.00	December, 10, 2019
Agreement for ADA Compliant Emergency Evacuation Signage (this item)	\$2,772.76	Pending
Total		

Justipher, Inc., dba Fast Signs Oakland, has done work at the District for several years.

Justipher, Inc., dba Fast Signs Oakland, is located at 1901 Franklin Street, Oakland, CA 94612. Michelle Darnell is the Senior Account Manager, for the company.

ANTICIPATED COMPLETION DATE:

May 15, 2020.

EVALUATION AND RECOMMENDED ACTION:

The ADA Strike Team, the Vice Chancellor General Services and the Chancellor recommend that the Governing Board approve the purchase agreement with Fast Signs in the amount of \$2,772.76, for printing services and fabrication of ADA evacuation signage at Berkeley City College.

File Attachments

Fastsigns Purchase Agreement for Berkeley City College Emergency Signs FINAL_3531300_2(DMS).pdf (256 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.

Workflow

Workflow

Mar 19, 2020 4:37 PM :: Submitted by Jamille Teer. Routed to Jamille Teer for approval.
Mar 19, 2020 4:43 PM :: Approved by Jamille Teer. Routed to Leigh Sata for approval.
Mar 19, 2020 7:08 PM :: Rejected by Leigh Sata
Mar 19, 2020 8:48 PM :: Submitted by Jamille Teer. Routed to Jamille Teer for approval.
Mar 19, 2020 8:48 PM :: Approved by Jamille Teer. Routed to Leigh Sata for approval.
Mar 30, 2020 5:50 PM :: Approved by Leigh Sata. Routed to Adil Ahmed for approval.
Apr 2, 2020 3:46 PM :: Approved by Adil Ahmed. Routed to Regina Stanback Stroud for approval.
Apr 3, 2020 10:39 AM :: Forced Approval by Brenda Martinez as the document publisher.

7. CONSENT CALENDAR - FACILITIES

Subject	7.3 Consider Approval of a Professional Services Agreement with Placemakers to Provide CEQA Consulting Services for the College of Alameda Aviation Complex, in the amount not-to-exceed \$83,625.00, and ratification of the Placemakers contract in the amount of \$91,941 for the Merritt Horticulture project. Presenter: Vice Chancellor Sata
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Apr 07, 2020
Absolute Date	Apr 07, 2020
Fiscal Impact	Yes
Dollar Amount	\$83,625.00
Budgeted	Yes
Budget Source	Measure A
Recommended Action	Approval of a Professional Services Agreement with Placemakers to Provide CEQA Consulting Services for the College of Alameda Aviation Complex, in the amount not-to-exceed \$83,625.00, and ratification of the Placemakers contract in the amount of \$91,941 for the Merritt Horticulture project.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Dr. Leigh Sata, Vice Chancellor, Department of General Services

BACKGROUND/ANALYSIS: Construction projects in the State of California must meet requirements of the California Environmental Quality Act (CEQA). In order to meet these requirements, the District is required to provide a report that requires the services of a specialized CEQA consultant. CEQA services for the College of Alameda Aviation Complex were solicited through an informal competitive process. The solicitation was sent to qualified vendors with an expertise in preparing CEQA documents. The scope of work includes preparation of an Initial Study (IS), Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting Program (MMRP), appropriate CEQA notifications and responses to public input on the DRAFT MND/IS.

Based on the solicitation results provided in the matrix below and their proposals, Placemakers was selected.

	<i>Firm</i>	<i>City</i>	<i>SLBE/SELBE</i>	<i>FEE</i>
1	Placemakers	Ashland, OR	SLBE	\$ 83,625.00
2	Amy Skewes-Cox	Ross, CA	SLBE	\$ 95,566.00
3	Brian Bacciarini	Santa Rosa, CA	N/A	Non-responsive

The District has a separate contract with Placemakers in the current fiscal year, to provide CEQA services for the Merritt College Horticulture Complex in the amount of \$91,941. Including this agreement therefore, Placemakers contract total for FY2019-20 is \$175,566.00. Per Administrative Policy 6340, the Board will ratify a contract once it exceeds the threshold of for Capital Projects of \$92,500.

<i>FY 2019-20 Contract</i>	<i>Fee</i>	<i>Governing Board Approval</i>
Merritt Horticulture	\$ 91,941	Contract dated January 30, 2019 - Ratification Item
COA Diesel and Auto Technology Building	\$ 83,625	Pending Approval
Total:	\$ 175,566	

DELIVERABLES/SCOPE OF WORK: The scope of work includes informing the public of various environmental impacts, and creating mitigation measures to address those issues. The categories are as follows:

- Aesthetics;
- Air quality;
- Biological resources;
- Cultural resources and tribal cultural resources;
- Geology and soils;
- Greenhouse gas emissions
- Hazards and hazardous materials
- Hydrology and water quality;
- Land use and planning;
- Noise;
- Public services and utilities;
- Transportation and traffic;
- Energy, recreation, and other cumulative impacts resulting from the project

Placemakers will develop the Initial Study (IS), Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting Program (MMRP), CEQA notices and responding to public input on the DRAFT IS/MND. To achieve these studies, the following specific tasks will be performed:

Task	Description
1:	Project Initiation, Pre-Planning Meetings and Coordination with District Staff
2:	Assemble and Review Background Information
3:	Site Visits
4:	Prepare Project Description
5:	Scoping Meeting
6:	Prepare Administrative Draft Initial Study Checklist to include the standard list of environmental topics
7:	Prepare Draft Initial Study Checklist
8:	Prepare Notice of Completion/Notice of Availability
9:	Attend Public Hearing
10:	Prepare Mitigation Monitoring and Reporting Program (MMRP)
11:	Prepare Draft and Final Findings and Responses to Comments
12:	Prepare and file Notice of Determination (NOD) to the Alameda County Clerk-Recorder and the CA Office of Planning and Research
13:	Project Management and Working with District and Applicant's Consultant Team

ANTICIPATED COMPLETION DATE:

Placemakers will complete the CEQA Services on or before June 30, 2021.

EVALUATION AND RECOMMENDED ACTION:

The Project Manager, Vice Chancellor of General Services and the Chancellor recommend approval of a Professional Services Agreement with Placemakers to Provide CEQA Consulting Services for the College of Alameda Aviation Complex, in the amount not-to-exceed \$83,625.00, and ratification of a previous Placemakers contract in the amount of \$91,941 for the Merritt Horticulture project.

File Attachments

Independent Consultant Agreement for Professional Services (CEQA) - Placemakers_3527521_2(DMS).pdf (5,183 KB)
 Placemakers MC Horticulture Complex.pdf (3,097 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.

Workflow

Workflow

Mar 19, 2020 8:01 PM :: Submitted by Jamille Teer. Routed to Jamille Teer for approval.
Mar 19, 2020 8:01 PM :: Approved by Jamille Teer. Routed to Leigh Sata for approval.
Mar 30, 2020 7:01 PM :: Approved by Leigh Sata. Routed to Adil Ahmed for approval.
Apr 2, 2020 3:45 PM :: Approved by Adil Ahmed. Routed to Regina Stanback Stroud for approval.
Apr 2, 2020 6:39 PM :: Routed back to Leigh Sata by Brenda Martinez.
Apr 2, 2020 6:59 PM :: Approved by Leigh Sata. Routed to Adil Ahmed for approval.
Apr 3, 2020 10:38 AM :: Routed back to Jamille Teer by Brenda Martinez.
Apr 3, 2020 4:15 PM :: Approved by Jamille Teer. Routed to Leigh Sata for approval.
Apr 3, 2020 10:37 PM :: Approved by Leigh Sata. Routed to Adil Ahmed for approval.
Apr 3, 2020 11:30 PM :: Forced Approval by Brenda Martinez as the document publisher.

7. CONSENT CALENDAR - FACILITIES

Subject	7.4 Consider Approval of a Professional Services Agreement with Amy Skewes-Cox, Environmental Planning for the Provision of California Environmental Quality Act (CEQA) Services for the College of Alameda Replacement of Buildings B and E - Auto/Diesel Technologies Project, in the amount not-to-exceed \$87,781.00. Presenter: Vice Chancellor Sata
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Apr 07, 2020
Absolute Date	Apr 07, 2020
Fiscal Impact	Yes
Dollar Amount	\$87,781.00
Budgeted	Yes
Budget Source	Measure A
Recommended Action	Approval of a Professional Services Agreement with Amy Skewes-Cox, Environmental Planning for the Provision of CEQA Services for the College of Alameda Replacement of Buildings B and E – Auto/Diesel Technologies Project, in the amount not-to-exceed \$87,781.00.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Dr. Leigh Sata, Vice Chancellor, DGS

BACKGROUND/ANALYSIS:

Construction projects in the State of California must meet requirements of the California Environmental Quality Act (CEQA). In order to meet these requirements, the District is required to provide a report that requires the services of a specialized CEQA consultant. CEQA services for the College of Alameda Replacement of Buildings B and D Auto/Diesel Technologies Project were solicited through an informal process. The solicitation was sent to qualified vendors with an expertise in preparing CEQA documents. The scope of work includes preparation of an Initial Study (IS), Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting Program (MMRP), appropriate CEQA notifications and responses to public input on the DRAFT MND/IS.

Based on the solicitation results provided in the matrix below and their proposal, Amy Skewes-Cox, Environmental Planning (Amy Skewes-Cox) was selected. Though the NEC proposal was a lower price, their proposal was deemed non-responsive due to a lack of description of the proposed scopes of work.

<i>Firm</i>	<i>Location</i>	<i>SLBE/SELBE</i>	<i>Fee</i>
Amy Skewes-Cox	Ross, CA	SLBE	\$ 87,781
NEC	Oakland, CA	N/A	\$ 29,945
Placemakers	Ashland, OR	SLBE	Non-Responsive

DELIVERABLES/SCOPE OF WORK: The scope of work includes informing the public of various environmental impacts, and creating mitigation measures to address those issues. The categories are as follows:

- Aesthetics;

- Air quality;
- Biological resources;
- Cultural resources and tribal cultural resources;
- Geology and soils;
- Greenhouse gas emissions
- Hazards and hazardous materials
- Hydrology and water quality;
- Land use and planning;
- Noise;
- Public services and utilities;
- Transportation and traffic;
- Energy, recreation, and other cumulative impacts resulting from the project

Amy Skewes-Cox will develop the Initial Study (IS), Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting Program (MMRP), CEQA notices and responding to public input on the DRAFT IS/MND. To achieve these studies, Amy Skewes-Cox will perform the follow scope of work:

Task	Description
1:	Project Initiation, Pre-Planning Meetings and Coordination with District Staff
2:	Assemble and Review Background Informatio
3:	Site Visits
4:	Prepare Project Description
5:	Scoping Meeting
6:	Prepare Administrative Draft Initial Study Checklist to include the standard list of environmental topics
7:	Prepare Draft Initial Study Checklist
8:	Prepare Notice of Completion/Notice of Availability
9:	Attend Public Hearing
10:	Prepare Mitigation Monitoring and Reporting Program (MMRP)
11:	Prepare Draft and Final Findings and Responses to Comments
12:	Prepare and file Notice of Determination (NOD) to the Alameda County Clerk-Recorder and the CA Office of Planning and Research
13:	Project Management and Working with District and Applicant's Consultant Team

ANTICIPATED COMPLETION DATE:

Amy Skewes-Cox will complete the CEQA Services on or before June 30, 2021.

EVALUATION AND RECOMMENDED ACTION:

The Project Manager, Vice Chancellor of General Services and the Chancellor recommend approval of the agreement with Amy Skewes-Cox, Environmental Planning, to provide CEQA Services for the College of Alameda Replacement of Buildings B and E Auto/Diesel Technologies Project.

File Attachments

Independent Consultant Agreement for Professional Services (CEQA) - Amy Skewes Cox - Final_3531692_1(DMS).pdf (8,303 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.

Workflow

Workflow

Mar 19, 2020 8:39 PM :: Submitted by Jamille Teer. Routed to Jamille Teer for approval.
Mar 19, 2020 8:41 PM :: Approved by Jamille Teer. Routed to Leigh Sata for approval.
Mar 30, 2020 7:02 PM :: Approved by Leigh Sata. Routed to Adil Ahmed for approval.
Apr 2, 2020 3:45 PM :: Approved by Adil Ahmed. Routed to Regina Stanback Stroud for approval.
Apr 3, 2020 10:39 AM :: Forced Approval by Brenda Martinez as the document publisher.

7. CONSENT CALENDAR - FACILITIES

Subject	7.5 Consider Approval of Contract for Independent Consultant Agreement for Professional Architectural Services with SVA Architects, Inc. for the Interim Portable Campus for the Locker Room Title IX Project at Laney College. Presenter: Vice Interim Chancellor Sata
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Apr 07, 2020
Absolute Date	Apr 07, 2020
Fiscal Impact	Yes
Dollar Amount	\$123,000.00
Budgeted	Yes
Budget Source	Measure A
Recommended Action	Approve Contract for Independent Consultant Agreement for Professional Architectural Services with SVA Architects, Inc. for the Interim Portable Campus for the Locker Room Title IX Project at Laney College.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Vice Chancellor Sata

BACKGROUND/ANALYSIS:

The Interim Portable Campus will provide swing space for the Laney Locker Room Title IX Project ("Locker Room Project"). The Locker Room Project is a design/build project that is currently in the Design Phase and is scheduled to start construction in September 2020. The Interim Portable Campus is an integral phase of the Title IX Locker Room Project that will provide swing space for the Locker Rooms and relocate classrooms currently in Eagle Village. These improvements address facilities corrections associated with the Office of Civil Rights case No. 09-14-2331 in accordance to the Resolution Agreement that focuses on improving services and facilities to support female athletes.

Consistent with Government Code Sections 4525 et seq., the District conducted a competitive procurement process by issuing a Request for Proposal (RFP) to three local firms that have demonstrated experience with projects similar in size and scope. A proposal summary is included in the matrix below.

Firm	Proposal Amount	Contact
Byrens Kim Design Works	\$ 259,700	dongk@byrenskim.com
WLC Architects, Inc.	\$ 174,001	lraylynch@wlcarchitects.com
SVA Architects \$123,000	nherrero@sva-architects.com	

The following project scope of work was confirmed with each proposer.

DELIVERABLES/SCOPE OF WORK:

- Provide architectural services for six (6) temporary portable classrooms

- Provide architectural services for two (2) temporary locker room portables. Unless cleared by DSA, the design will need to be site specific.
- Provide Architectural Site Plan to locate the buildings and the accessible ramps. Buildings are to be located within the existing tennis courts.
- Outline accessible path of travel from the main campus entry to the new portable locations.
- Provide site pathway as required.
- Design of electrical, data, intercom, fire alarm, and intrusion alarm system per the district standard.
- Building power connection to consider campus source, or a new PG&E service as required.
- Document accessible features serving the proposed portables.

SVA Architects, Inc. was ultimately selected as both qualified and as the best value based on their experience, proposal, scope of services, and fee.

SVA Architects, Inc. is an architectural firm founded in 2003. Their K-12 and higher education experience includes, but is not limited to: Merritt College Center for Science and Allied Health Study, UC Irvine Steinhaus Hall Exterior Renovation, Chaffey Community College District Mixed-Use Buildings at Chino and Fontana Campuses. Mr. Robert M. Simons, AIA is the President and a Partner of SVA Architects, Inc.

Contact Information

6 Hutton Centre Drive, Suite 1150
Santa Ana, California 92707
Telephone: 949.809.3380

Approval is requested to enter into a Professional Services Agreement with SVA Architects to provide design services and installation coordination for Interim Portable Campus.

ANTICIPATED COMPLETION DATE:

Interim Portable Campus anticipated completion date is January 10, 2021.

EVALUATION AND RECOMMENDED ACTION:

The College President and Chancellor recommend approval of the Contract for Independent Consultant Agreement for Professional Architectural Services with SVA Architects, Inc. for the Interim Portable Campus for the Locker Room Title IX Project at Laney College.

File Attachments

SVA Proposal - Peralta CCD - Interim Campus_20200305_3533111_1(DMS).PDF (236 KB)
2020-03-24 Peralta CCD Short Form Architect Agreement - With Exhibits SVA Architects_3533082_2(DMS).PDF (319 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.

Workflow

Workflow

Mar 24, 2020 6:23 PM :: Submitted by Jamille Teer. Routed to Jamille Teer for approval.
Apr 3, 2020 4:15 PM :: Approved by Jamille Teer. Routed to Leigh Sata for approval.
Apr 3, 2020 10:36 PM :: Approved by Leigh Sata. Routed to Adil Ahmed for approval.
Apr 3, 2020 11:31 PM :: Forced Approval by Brenda Martinez as the document publisher.

8. CONSENT CALENDAR - HUMAN RESOURCES

Subject 8.1 Consider Approval of Personnel Items. Presenter: Vice Chancellor Whittaker

Meeting Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Action (Consent)

Preferred Date Apr 07, 2020

Absolute Date Apr 07, 2020

Fiscal Impact Yes

Budgeted Yes

Budget Source General Fund

Recommended Action Approve personnel items

TO: Peralta Board of Trustees

FROM: Chanelle Whittaker

PREPARED BY: Socorro Taylor

PERSONNEL ITEMS

BACKGROUND/ANALYSIS:

Approval of Personnel Items: New employment; changes in assignment, compensation, and placement; leaves of absence; changes in staff allocation and classification of academic and classified personnel; retirements, phase-in retirements, and resignations; equivalence of minimum qualifications for academic positions; and short-term temporary classified positions.

A. ADMINISTRATIVE APPOINTMENT, REAPPOINTMENT, ASSIGNMENT AND REASSIGNMENT

(NP = New Position *= New Employee)

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>	<u>Salary</u>
<u>District Office</u>			
MoMo Lim, administrative appointment effective April 8, 2020 through April 7, 2022	Internal Auditor	Finance/Carla Walter	\$111,647
<u>Berkeley City College</u>			
Stacey Shears, administrative appointment effective April 11, 2020 through May 6, 2020	Acting President	President's Office/Chancellor Stanback Stroud	\$178,636
<u>College of Alameda</u>			
Horacio Corona Lira, administrative appointment effective April 13, 2020 through April 12, 2022	Director of Hispanic Serving Institution	Liberal Arts & Social Sciences/Lilia Celhay	\$106,065
<u>Laney College</u>			

None

Merritt College

None

B. CLASSIFIED & FACULTY EMPLOYMENT

(NP = New Position *= New Employee)

Name**Location****Department/Reports to:****Berkeley City College**

None

College of AlamedaMayra Arevalo, classified
appointment effective
April 13, 2020

Student Service Specialist

Liberal Arts & Language Studies/Lilia
Celhay**District Office**

None

Laney CollegeThien Nguyen
Classified appointment
effective April 8, 2020

Child Care Assistant II

Children's Center/Erica Harrell

Kevin Tran

Principal Financial Analyst

Administrative Services/Vice President
Derek PintoClassified appointment
effective April 8, 2020**Merritt College**

None

C. TRANSFER/ADMINISTRATIVE REASSIGNMENT

None

D. CHANGES IN STAFF ALLOCATION

None

E. PHASE-IN RETIREMENT

None

F. LEAVE OF ABSENCE

None

G. PUBLIC EMPLOYEE RETIREMENT AND RESIGNATION**1. Retirement****Name****Location****Department/Reports to:****Berkeley City College**

None

College of Alameda

None

District Office

None

Laney College

None

Merritt College

None

2. Resignation**Berkeley City College**

Yipeng Ruan

Program Specialist

Instruction/Kuniko Hay

Resignation effective March 7,
2020**College of Alameda**

None

District Office

Xiaoming Liang

Help Desk Support Technician

IT/Antoine Mehoulley

Resignation effective March 9,
2020**Laney College**

Alejandra Bautista

Student Services Specialist

Student Services/Diane Chang

Resignation effective March 1,
2020**Merritt College**

None

H. SHORT-TERM NON-CONTINUING POSITIONS**Berkeley City College**

None

Bendi Yimaz

Instructional Assistant III/DSPS

Student Services/Shirley Slaughter

Short-term employment
effective March 25, 2020
through June 30, 2020 to assist
Alternate Media Specialist in
providing service to students
with disabilities**College of Alameda**

None

District Office

None

Laney College

Connie Le

Cashier

Cafeteria/Derek Pinto

Short-term employment
effective March 27,2020
through June 30, 2020 to
provide additional support and

accommodation for Cafeteria
staff

Merritt College

None

DELIVERABLES/SCOPE OF WORK:

N/A

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

N/A

The Chancellor recommends approval.

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.

Workflow

Workflow

Mar 19, 2020 7:14 PM :: Submitted by Socorro Taylor. Routed to Chanelle Whittaker for approval.
 Mar 19, 2020 8:52 PM :: Rejected by Chanelle Whittaker
 Mar 20, 2020 2:31 PM :: Submitted by Socorro Taylor. Routed to Chanelle Whittaker for approval.
 Mar 20, 2020 4:01 PM :: Approved by Chanelle Whittaker. Routed to Adil Ahmed for approval.
 Mar 20, 2020 11:48 PM :: Approved by Adil Ahmed. Routed to Regina Stanback Stroud for approval.
 Mar 30, 2020 11:57 AM :: Routed back to Chanelle Whittaker by Brenda Martinez.
 Mar 30, 2020 12:34 PM :: Approved by Chanelle Whittaker. Routed to Adil Ahmed for approval.
 Apr 1, 2020 2:48 PM :: Routed back to Chanelle Whittaker by Brenda Martinez.
 Apr 1, 2020 8:31 PM :: Approved by Chanelle Whittaker. Routed to Adil Ahmed for approval.
 Apr 2, 2020 4:00 PM :: Approved by Adil Ahmed. Routed to Regina Stanback Stroud for approval.
 Apr 3, 2020 10:39 AM :: Forced Approval by Brenda Martinez as the document publisher.

9. ACTION ITEMS

Subject	9.1 Consider Approval of Resolution No. 19/20-38 Authorizing the Issuance and Sale of General Obligation Bonds of the District under its 2006 Authorization (Measure A) in an Aggregate Principal Amount Not to Exceed \$65,000,000 and under its 2018 Authorization (Measure G) in an Aggregate Principal Amount Not to Exceed \$50,000,000 and Approving the Forms of and Authorizing the Execution and Delivery of One or More Paying Agent Agreements, Bond Purchase Agreements, Continuing Disclosure Certificates, Official Statements and Compliance Guidelines for such Bonds. Presenter: Chancellor Stanback Stroud
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Apr 07, 2020
Absolute Date	Apr 07, 2020
Recommended Action	Approve Resolution No. 19/20-38 Authorizing the Issuance and Sale of General Obligation Bonds of the District under its 2006 Authorization (Measure A) in an Aggregate Principal Amount Not to Exceed \$65,000,000 and under its 2018 Authorization (Measure G) in an Aggregate Principal Amount Not to Exceed \$50,000,000 and Approving the Forms of and Authorizing the Execution and Delivery of One or More Paying Agent Agreements, Bond Purchase Agreements, Continuing Disclosure Certificates, Official Statements and Compliance Guidelines for such Bonds.

TO: Peralta Board of Trustees

FROM: Dr. Regina Stanback Stroud, Chancellor

PREPARED BY: Dr. Regina Stanback Stroud, Chancellor

Background/Analysis:

This Resolution is being presented to this meeting for a second reading of the Board and to request its approval.

County voters in the Election of 2006 approved Measure A, which authorizes the District's Board of Trustees to issue up to \$390 million of general obligation bonds for the purpose of capital improvements within the District. To date, \$325 million of general obligation bonds have been issued under Measure A. The Resolution authorizes the District's issuance of the remaining \$65 million of general obligation bonds under the Election of 2006 for Measure A.

County voters in the Election of 2018 approved Measure G, which authorizes the Board of Trustees to issue \$800 million of general obligation bonds for the purpose of capital improvements within the District. The Resolution authorizes the District's issuance of \$50 million in general obligation bonds under the Election of 2018 for Measure G. This will be the first issuance of general obligation bonds under Measure G.

The Resolution also authorizes the Chancellor, the Vice Chancellor of Finance and Administration, the interim Vice Chancellor of General Services and the interim Chief of Staff and General Counsel and any other designated officer of the District to finalize, execute and deliver the requisite agreements and other documents related to the bonds, including a paying agent agreement providing for the terms of issuance and repayment of the bonds, a bond purchase agreement providing for the sale and purchase of the bonds, a continuing disclosure certificate setting forth certain ongoing disclosure obligations of the District, and tax and continuing disclosure compliance guidelines, a substantially final form of each such document is included with the Resolution. The Resolution also authorizes the posting of a preliminary Official Statement and the completion, signing and delivery of an Official Statement relating to the District and the bonds; a copy of which is also attached to the Resolution.

The Resolution further names the professionals working with the District and/or otherwise involved in the issuance and sale of the bonds, including the underwriters, municipal advisors, paying agent, bond counsel and other legal counsel. A good faith estimate of the cost of issuing the bonds and the interest costs are also provided in Appendix A and B of the Resolution.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

The District currently anticipates selling the bonds in late April 2020 and closing the transaction in early May 2020.

Evaluation and Recommended Action:

Chancellor recommends approval of this Resolution.

File Attachments

Bond Purchase Agreement - Peralta CCD 2020 GO Bonds 4161-2031-2866 4.pdf (139 KB)
District Resolution - Peralta CCD 2020 GO Bonds 4166-0239-4914 5 (Revised).pdf (285 KB)
Paying Agent Agreement - Peralta CCD 2020 GO Bonds 4123-3246-4930 4.pdf (191 KB)
Preliminary Official Statement - Peralta CCD 2020 Bonds 4134-9966-8514 4.pdf (763 KB)
Tax and Continuing Disclosure Guidelines - Peralta CCD 2020 Bonds 4147-6942-7234 2.pdf (68 KB)

9. ACTION ITEMS

Subject	9.2 Consider Approval of Resolution No. 19/20-43 Authorizing the Issuance and Sale of General Obligation Bonds Refunding Bonds of the District in An Aggregate Amount Not to Exceed \$25 Million and Approving the Forms of and Authorizing the Execution and Delivery of one or more Paying Agent Agreements, Bond Purchase Agreements, Continuing Disclosure Certificates, Official Statements and Escrow Agreements for Said Refunding Bonds. Presenter: Chancellor Stanback Stroud
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Apr 07, 2020
Absolute Date	Apr 07, 2020
Recommended Action	Approve Resolution No. 19/20-43 Authorizing the Issuance and Sale of General Obligation Bonds Refunding Bonds of the District in An Aggregate Amount Not to Exceed \$25 Million and Approving the Forms of and Authorizing the Execution and Delivery of one or more Paying Agent Agreements, Bond Purchase Agreements, Continuing Disclosure Certificates, Official Statements and Escrow Agreements for Said Refunding Bonds.

TO: Peralta Board of Trustees

FROM: Dr. Regina Stanback Stroud, Chancellor

PREPARED BY: Dr. Regina Stanback Stroud, Chancellor

Background/Analysis:

This Resolution is being presented to this meeting for a second reading of the Board and to request its approval.

In September, 2009, the District issued \$39,080,000 principal amount of Peralta Community College District 2009 General Obligation Refunding Bonds (the "2009 Bonds"). \$22,880,000 of the 2009 Bonds are currently outstanding. Lower interest rates available in today's markets makes it desirable and fiscally prudent to refund the 2009 Bonds now to achieve savings.

The Resolution authorizes the sale of the refunding bonds described above and authorizes the Chancellor, the Vice Chancellor of Finance and Administration, the interim Vice Chancellor of General Services and the interim Chief of Staff and General Counsel and any other designated officer of the District to finalize, execute and deliver the requisite agreements and other documents related to the refunding bonds, including a paying agent agreement providing for the terms of issuance and repayment of the refunding bonds, an escrow agreement providing for the terms of payment and redemption of the 2009 Bonds, a bond purchase agreement providing for the sale and purchase of the refunding bonds, and a continuing disclosure certificate setting forth certain ongoing disclosure obligations of the District, a substantially final form of each such document is included with the Resolution. The Resolution also authorizes the posting of a preliminary Official Statement and the completion, signing and delivery of an Official Statement relating to the District and the refunding bonds; a copy of which is also attached to the Resolution.

The Resolution further names the professionals working with the District and/or otherwise involved in the issuance and sale of the refunding bonds, including the underwriters, municipal advisors, paying agent, bond counsel and other legal counsel. A good faith estimate of interest costs are also provided in Appendix A of the Resolution.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

The District currently anticipates selling the refunding bonds in late April 2020 and closing the transaction in early May 2020.

Evaluation and Recommended Action:

Chancellor recommends approval of this Resolution.

File Attachments

Paying Agent Agreement - Peralta CCD 2020 GO Refunding Bonds 4136-3689-1682 4.pdf (154 KB)
Escrow Agreement - Peralta CCD 2020 Refunding Bonds 4154-5893-0978 3.pdf (73 KB)
Bond Purchase Agreement - Peralta CCD 2020 GO Refunding Bonds 4145-9384-8354 4.pdf (140 KB)
Preliminary Official Statement - Peralta CCD 2020 Bonds 4134-9966-8514 4 (002).pdf (763 KB)
District Resolution - Peralta CCD 2020 Refunding Bonds 4141-6177-0274 5 (revised).pdf (165 KB)

9. ACTION ITEMS

Subject **9.3 Consider Approval of Resolution No. 19/20-44 Accepting the OPEB June 2019 GASB Actuarial Report, July 2019 OPEB Supplemental Actuarial Report and the June 2019 Investment Performance Update and Adopting the OPEB Trust 1 Surplus Determination and Disbursement Procedures. Presenter: Chancellor Stanback Stroud**

Meeting Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Action

Preferred Date Apr 07, 2020

Absolute Date Apr 07, 2020

Recommended Action Approve Resolution No. 19/20-44 Accepting the OPEB June 2019 GASB Actuarial Report, July 2019 OPEB Supplemental Actuarial Report and the June 2019 Investment Performance Update and Adopting the OPEB Trust 1 Surplus Determination and Disbursement Procedures.

TO: Peralta Board of Trustees

FROM: Dr. Regina Stanback Stroud, Chancellor

PREPARED BY: Dr. Regina Stanback Stroud, Chancellor

Background/Analysis:

This Resolution is being presented to this meeting for a second reading of the Board and its approval is now being requested. The version attached to this Agenda varies from the version provided for the Board's March 24, 2020 meeting. See Discussion of Changes herein below.

In 2005, the District issued and sold its Taxable 2005 Limited Obligation Other Post-Employment Benefits Bonds (the "OPEB Bonds"), pursuant and subject to an Indenture of Trust, dated as of December 1, 2005, to provide certain health care benefits for retired District employees who were hired as of or before 2004 and certain of their dependents. The proceeds from the sale of the OPEB Bonds were transferred to a separate fund known as the Retiree Health Benefit Program Fund or OPEB Trust 1 to be held in trust and invested, subject to the terms of the Indenture of Trust.

The Indenture authorized the District to transfer amounts held in the Retiree Health Benefit Program Fund to a custodial trustee and to delegate investment authority for such amounts pursuant to Section 53621 of the California Government Code, and consistent therewith the District delegated investment authority of Trust 1 to the Retirement Board which has entered into an agreement with Neuberger Berman Trust Company to serve as custodial trustee for, and to invest, the OPEB Trust 1 funds.

Pursuant to the Indenture of Trust for the OPEB Bonds, in addition to paying or reimbursing the cost of retiree health benefits, moneys in the Trust 1 may also be used to pay principal on the OPEB Bonds if "the District determines that any or all of the amounts held in [Trust 1] are or will not be required for payment of current or future Retiree Health Benefit Costs" (a "Surplus"). The District has determined by this Resolution to establish, and have the Board adopt, procedures for determining whether Trust 1 has a Surplus for the purpose of making a payment on the OPEB Bonds and for providing notice of any disbursements from Trust 1 for such purpose to the Retirement Board. The procedures rely on information to be obtained from three reports – a GASB Actuarial Valuation, a Supplemental Actuarial Study and an Investment Performance Update.

In compliance with Governmental Accounting Standards Board Rule No. 74/75, the District annually receives from its actuary an Actuarial Study of Retiree Health Liabilities for the Pre-2004 Employees, which provides an actuarial valuation of retiree health liabilities. Consistent with the recommendation of the Fiscal Crisis and Management Assistance Team ("FCMAT") of the California School Information Services in its Financial Review and Fiscal Health Risk Analysis dated June

28, 2019 (a/k/a the “2019 FCMAT Report”), the District now, and will annually receive, from its actuary a Supplemental Actuarial Study of Retiree Health Liabilities for the Pre-2004 Employees utilizing a higher discount rate for purposes of obtaining a retiree health benefit funding valuation using the estimated rate of return on Trust 1 investments, rather than the long-term return applicable for the GASB Actuarial Valuation, in order to provide the District with a more realistic valuation of its health benefit liability for the retirees. Under the recent GASB Rule 74/75 rule changes, a compressed discount rate of 3.5% is currently used in the GASB Actuarial Valuation. This GASB rule change significantly inflates the actuarial liability (i.e., the District’s retiree health benefit liability), solely because Trust Fund 1 is not viewed under GASB as an irrevocable trust. The Supplemental Actuarial Study uses a 6.3% discount rate which is closer to the GASB Rule 74/75’s discount rate prior to the change (it used 6.75% for its June 30 2018 study) and is such discount rate is more conservative than that of other relevant discount rate benchmarks (e.g. CalPERS, CalSTRS). The custodial trustee provides to the Retirement Board monthly investment performance updates of the funds in Trust 1, including an unaudited market value of funds in Trust 1.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

RESOLUTION CHANGES SINCE MARCH 24, 2020

A couple revisions have been made to the Resolution following the March 24th Board meeting, in hopes of providing additional clarity as to the definition of discount rate and the District’s overall OPEB Bond planning goals. A clean copy of the updated resolution as well as a copy showing the changes are provided.

Evaluation and Recommended Action:

The Chancellor recommends approval of this Resolution.

File Attachments

Peralta CCD Reso re Trust 1 Process and OPEB Reports v9 (202004002) v2 CLEAN.pdf (146 KB)

9. ACTION ITEMS

Subject **9.5 Consider Approval of Resolution No. 19/20-49 Designating Public Works as Essential. Presenter: Chancellor Stanback Stroud**

Meeting Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Action

Preferred Date Apr 07, 2020

Absolute Date Apr 07, 2020

Fiscal Impact No

Recommended Action Approve Resolution No. 19/20-49 Designating Public Works as Essential.

TO: Peralta Board of Trustees

FROM: Dr. Regina Stanback Stroud, Chancellor

PREPARED BY: Dr. Regina Stanback Stroud, Chancellor

Background/Analysis:

The Alameda County Health Dept issued a revised shelter in place order (effective through May 3rd) closing additional public facilities, requiring social distancing protocols, scaling down operations to essential operations only, and placing limits on construction. One notable change to the guidelines is that the “lead agency” will now determine whether a project is deemed essential:

“Most construction—residential and commercial—is prohibited. Exceptions are made for healthcare facility construction directly related to the COVID-19 response; affordable housing; public works projects when designated as essential by the lead governmental agency; shelters and temporary housing; projects necessary to provide critical services to certain vulnerable individuals; construction necessary to secure an existing construction site; and limited essential residential or business repairs.”

This resolution states that the Governing Board deems PCCD's educational facilities "essential" and that construction work may continue. PCCD does not compel a third-party vendor to work, thus allowing contractors to make their own determination about continuing with a project. As a result, the District does not become legally engaged in the contractor's “means and methods” of executing a project.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

The Chancellor recommends approval of the Resolution Designating Public Works as Essential.

File Attachments

[Resolution Designating Project as Essential Gov Function_final.docx \(37 KB\)](#)
[health-officer-order-20-04-shelter-in-place-20200331.pdf \(235 KB\)](#)

10. REPORTS & ANNOUNCEMENTS

Subject	10.1 Board of Trustees' Reports
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

10. REPORTS & ANNOUNCEMENTS

Subject **10.2 Announcements**

Meeting Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type

TO: Peralta Board of Trustees

FROM:

PREPARED BY:

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

DELIVERABLES/SCOPE OF WORK:

ANTICIPATED COMPLETION DATE:

EVALUATION AND RECOMMENDED ACTION:

The District's <Insert Department name> has evaluated the deliverables to date for <Insert Vendor/Contractor name> and found them to be satisfactory.

The Chancellor recommends approval.

11. ADJOURNMENT

Subject	11.1 Meeting Adjournment
Meeting	Apr 7, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural