



**Tuesday, February 9, 2021
REGULAR MEETING OF THE BOARD OF TRUSTEES**

**6:00 p.m. Closed Session
7:00 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

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_Nhx99Q5oR8CQdqbQsjsx_g
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
PLEASE TURN OFF YOUR CELL PHONES DURING THE MEETING - THANK YOU!

1. CLOSED SESSION

Subject	1.1 Public Comment on Closed Session Items
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	

1. CLOSED SESSION

Subject	1.2 Conference with Labor Negotiator, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

1. CLOSED SESSION

Subject **1.3 Public Employee Appointment (Government Code Section 54957) - (15 minutes)**

Meeting Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Information

- Recommendation to appoint the Acting Director of Student Activities & Campus Life, Laney College
- Recommendation to appoint the Assistant to the Chancellor/Board Clerk, District Office
- Recommendation to extend the appointment of the Acting Dean of Academic & Student Affairs, Laney College
- Recommendation to extend the appointment of the Acting Vice President of Instruction, Laney College

1. CLOSED SESSION

Subject **1.4 Public Employee Evaluation**

Meeting Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type

1. CLOSED SESSION

Subject **1.5 Public Employee Discipline/Dismissal/Release (15 minutes)**

Meeting Feb 9, 2021 - 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) - (15 minutes)
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information
	<ul style="list-style-type: none">• 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)) (3 cases).

2. OPEN SESSION

Subject	2.1 Call to Order
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural

2. OPEN SESSION

Subject	2.2 Pledge of Allegiance
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural

2. OPEN SESSION

Subject	2.3 Roll Call
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural

2. OPEN SESSION

Subject	2.4 Affirmation of the Statement of Cooperation
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural

We the Peralta Community College District Board of Trustees commit to the following in our efforts to help students reach their educational goals:

1. We agree to listen and seek to understand others and opposing viewpoints with the expectation of good intentions and a deep commitment to the District's students.
2. We commit to being prepared for each meeting and to work within our established communication protocols when we seek additional information. Members will review the agenda in advance of each meeting and adhere to Board Policy 2340 for adding items to the agenda.
3. We have reviewed the Board's Code of Ethics and commit to reviewing it annually at our organizational meeting to remind ourselves of the behavior we are to exhibit and the guidelines we are to follow in our role.
4. If the Code of Ethics is violated, we commit to follow the process stated in the Code and will first address concerns informally to settle disagreements one-on-one between and among members before moving to the formal process.
5. We agree that from time to time, the Chair will remind members of appropriate behavior and may call for a recess or redirect members if they stray from the topic of discussion.
6. We collectively recognize that it is within the duties and authority of the Chair to render decisions or take actions to keep our meetings on track in adherence to Board policy.
7. We will strive to fulfill the vision we established for ourselves.
8. We will model the behavior we want others to exhibit.

File Attachments

[PCCD Cooperation Statement.final fully signed.pdf \(427 KB\)](#)

2. OPEN SESSION

Subject	2.5 Report of Action Taken in Closed Session
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

Subject	2.6 Approval of the Agenda
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action

2. OPEN SESSION

Subject	2.7 Approval of the Minutes
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action, Minutes
Preferred Date	Feb 09, 2021
Absolute Date	Feb 09, 2021
Fiscal Impact	No
Budgeted	No

2. OPEN SESSION

Subject	2.8 Associated Student Government Reports
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

Subject	2.9 Peralta Classified Senate Report
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

Subject	2.10 District Academic Senate Report
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

Subject **2.11 Public Communication**

Meeting Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

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. 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.

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

2. OPEN SESSION

Subject	2.12 Chancellor's Reports (30 minutes)
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information
	<ul style="list-style-type: none">• ACCJC Update• College Updates

File Attachments

2.9.21 Merritt College BOT Report.pdf (1,586 KB)
BCC Newsletter February 9, 2021.pdf (834 KB)
COA February_9_2021_Presidents_Report-v2.pdf (790 KB)
Laney College Board Highlight Feb 9.pdf (622 KB)

3. INFORMATIONAL

Subject 3.1 Review the Financial Statements and Cash Flow Summary – Ending December 31, 2020. Presenter: Interim Vice Chancellor Adil Ahmed (5 minutes)

Meeting Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Information

TO: Peralta Board of Trustees

FROM: Dr. Carla Walter, Interim Chancellor

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

BACKGROUND ANALYSIS:

This summary is presented as a means of communicating the Peralta Community College District's General Fund net revenue and expenses through December 31, 2020 as compared to the Revised 2020/21 Adopted Budget.

Revenues and Expenses

The District's General Fund revenue received as of December 31, 2020 was \$101,185,296 which represents approximately 44.9% of the budgeted General Fund revenues. General Fund expenses are at \$87,533,804, or 38.7% of budgeted expenses.

Cash Flow

The ending cash balance for the District was \$26,037,396 as of December 31, 2020.

EVALUATION AND RECOMMENDED ACTION:

The Interim Vice Chancellor of Finance and Administration and the Interim Chancellor recommend review.

File Attachments

December 31 2020 Financial Report 01.22.2021R.pdf (57 KB)

Cash Flow December 31 2020 Update 01292021 Formatted.pdf (117 KB)

3. INFORMATIONAL

Subject 3.2 Review the Actuarial Reports of Retiree Health Liabilities Under GASB 74/75 for Fiscal Year-End June 30, 2020 from Total Compensation Systems, Inc. Presenter: Interim Vice Chancellor Adil Ahmed (5 minutes)

Meeting Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Information

TO: Peralta Board of Trustees

FROM: Adil Ahmed, Interim Vice Chancellor for Finance and Administration

PREPARED BY: Total Compensation Systems, Inc.

BACKGROUND/ANALYSIS:

In 2004, Governmental Accounting Standards Board (GASB) issued Statements 43 and 45 that required governmental entities to recognize the cost of Other Post-Employment Benefits (OPEB) when they are earned (while employees are working), rather than when they are paid (after employees retire). GASB 43 was for plan-perspective accounting (i.e. funded plans), while GASB 45 applied to employer financial statements. New accounting rules, GASB 74 and GASB 75 have replaced GASB 43 and GASB 45. GASB 74/75 requires all public agencies to have actuarial valuations every two years rather than allowing those agencies with less than 200 participants to have triennial valuations.

Total Compensation Systems, Inc. (TCS) performed an Actuarial Valuation Study of the Pre-2004 and Post-2004 District retired employees program, satisfying GASB 74/75 reporting requirements. TCS made recommendations based on the actuarial and economic assumptions appropriate for the District based on plan benefits, anticipated funding levels, and the current economic environment.

DELIVERABLES/SCOPE OF WORK:

Attached are the final valuation reports measured as of June 30, 2020. This was a full valuation which means it relied on census data and benefit provisions as of the measurement date.

The 2020 valuation contains two significant changes in actuarial assumptions. First, the assumed rates of retirement, termination, and mortality have been updated to the same rates used by CalPERS/CalSTRS in their most recent actuarial pension valuations. Second, the benchmark municipal bond rate upon which the valuation interest rate is based, fell significantly from 3.5% in 2019 to 2.2% for 2020. The combined impact of these changes on the measured liability is shown on the Changes in Assumptions line in the first table on Page 2 of each report.

COMPLETION DATE:

November 19, 2020

EVALUATION AND RECOMMENDED ACTION:

The District's Finance Department has evaluated the reports from TCS and found them to be satisfactory.

The Interim Vice Chancellor of Finance and Administration and the Interim Chancellor recommend review.

File Attachments

PeraltaCCDGASB75Final2020ReportPre2004.pdf (853 KB)
PeraltaCCDGASB75Final2020ReportPost2004.pdf (855 KB)

4. CONSENT CALENDAR - BOARD MATTERS

Subject 4.1 CCCT Board Election Slate. Presenter: Board President Cindi Napoli Abella Reiss

Meeting Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Action (Consent)

Preferred Date Feb 09, 2021

Absolute Date Feb 09, 2021

Fiscal Impact No

Budget Source N/A

TO: Peralta Board of Trustees

FROM: Ronald McKinley, Acting Vice Chancellor Human Resources

PREPARED BY: Carrie Burdick, Risk Coordinator, Risk Management Department

BACKGROUND ANALYSIS:

Presented for Trustee consideration and action is a slate of candidates for the CCCT Board of the Community College League of California, due February 15, 2021.

EVALUATION AND RECOMMENDED ACTION:

The Board President recommends approval.

File Attachments

[CCCT Nomination form - 2021.pdf \(156 KB\)](#)

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.

5. CONSENT CALENDAR - CHANCELLOR'S OFFICE

Subject **5.1 Consider Ratification of Monthly Contract Report in Accordance with Administrative Policy 6340. Presenter: Interim Chancellor Carla Walter**

Meeting Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Action (Consent)

Preferred Date Feb 09, 2021

Absolute Date Feb 09, 2021

Fiscal Impact No

TO: Peralta Board of Trustees

FROM: Dr. Carla Walter, Interim Chancellor

PREPARED BY: Brandi Howard, Contracts & Legal Affairs Coordinator

BACKGROUND/ANALYSIS:

Consider Ratification of the Monthly Report of Contracts for the period of January 10, 2021, through January 27, 2021. 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.

EVALUATION AND RECOMMENDED ACTION:

The Interim Chancellor recommends approval.

<p>File Attachments BOT Contract Ratification Report for 2.09.2021v1 -revised.pdf (65 KB)</p>
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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 - HUMAN RESOURCES

Subject	6.1 Consider Approval of a Contract with Advanced Chemical Transportation Inc (ACT) for Hazardous Waste Disposal in the Amount of \$50,000. Presenter: Acting Vice Chancellor Ronald McKinley
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Feb 09, 2021
Absolute Date	Feb 09, 2021
Fiscal Impact	Yes
Dollar Amount	\$50,000.00
Budgeted	Yes
Budget Source	General Fund, 1-01-118-5501-1-657000-0000-00

TO: Peralta Board of Trustees

FROM: Ronald McKinley, Acting Vice Chancellor Human Resources & Employee Relations

PREPARED BY: Carrie Burdick, Risk Coordinator, Risk Management Department

BACKGROUND/ANALYSIS:

One of Risk Managements functions is to oversee the removal of Hazardous/Universal waste and to provide disposal documentation/reporting to various city, state and county agencies. Waste is removed from Science labs, vocational classes, and all other Peralta CCD departments that produce hazardous and universal waste. ACT provides containers to store waste in, transportation on the highways per the Department of Transportation regulations, and disposal or processing of the chemicals per Environmental Protection Agency, Department of Toxic Substances and Alameda County Environmental Health Department.

DELIVERABLES/SCOPE OF WORK:

ACT will provide requested environmental services by removal of waste from Science labs, vocational classes and all Peralta CCD departments that produce hazardous and universal waste. At each site the waste shall be packaged, transported and disposed of or processed.

ANTICIPATED COMPLETION DATE:

June 30, 2021

EVALUATION AND RECOMMENDED ACTION:

The District's Risk Management Department has evaluated the deliverables to date for Advanced Chemical Transportation Inc. (ACT) and found them to be satisfactory.

The Interim Chancellor and Active Vice Chancellor of Human Resources & Employee Relations recommends approval.

File Attachments

[ACT 20-21 contract updated.pdf \(609 KB\)](#)
[ACT SOW Price Sheet Aug 2020.pdf \(81 KB\)](#)
[ACTenviro Trifold.pdf \(1,373 KB\)](#)
[2000140712 ACT 111320 1 001.jpg \(657 KB\)](#)
[2000140712 ACT 111320 2 001.jpg \(573 KB\)](#)
[MARC for ACT Contract - signed.pdf \(516 KB\)](#)

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 - FACILITIES

Subject	7.1 Consider Approval of Change Order #1 with Mars Construction, Inc. for the Berkeley City College ADA Barrier Removal Project Phase 2 in the Amount of \$6,512.73. Presenter: Acting Vice Chancellor Atheria Smith.
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Dec 14, 2020
Absolute Date	Feb 09, 2021
Fiscal Impact	Yes
Dollar Amount	\$6,512.73
Budgeted	Yes
Budget Source	1-63-391-6206-1-710000-2323-02 (Measure A Bond Funds)

TO: Peralta Board of Trustees

FROM: Atheria Smith, Acting Vice Chancellor of Department of General Services

PREPARED BY: Kitchell CEM

BACKGROUND/ANALYSIS:

The original contract for the Berkeley City College Barrier Removal Project Phase 2 was awarded to the lowest responsive bidder, Mars Construction, Inc., to ensure compliance with the American with Disabilities Act (ADA) requirements identified in the District's remediation plan included in the settlement for Delson v. Peralta Community College.

During a site walk with the DSA Inspector, it was discovered that the existing entrances to the semi-ambulatory stalls in all of the men's restrooms are not wide enough per ADA ("unforeseen condition"). Therefore, new restroom doors and partitions are needed in order to comply with ADA ("added scope").

The Board is asked to approve this Change Order #1 for added scope due to unforeseen conditions to comply with ADA requirements addressed in the Delson v. Peralta Community College settlement and the accompanying time extension to perform the added scope.

Contact Information for Mars Construction, Inc.

Maria Serova, Principal
4888 Clayton Road #14
Concord, CA 94521

A summary of this Agreement follows:

Contract	Approved Amount	Time Extension	Contract End Date	Board Approval Date
Construction Services Agreement	\$113,700.00	N/A	6/30/2021	5/12/2020
Change Order #1	\$6,512.73	184 days	02/14/2021	This item
TOTAL	\$120,212.73			

In the 2020-21 Fiscal Year, Mars Construction, Inc. has no other contracts with the District.

DELIVERABLES/SCOPE OF WORK:

The following scope of services will be performed at Berkeley City College in Change Order #1:

- Accessible Restroom Modifications

ANTICIPATED COMPLETION DATE:

February 14, 2021.

EVALUATION AND RECOMMENDED ACTION:

The Construction Manager, Acting Vice Chancellor of General Services and Interim Chancellor recommend approval.

File Attachments

[Mar Construction BCC MARC package signed.pdf \(5,160 KB\)](#)

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 - FACILITIES

Subject	7.2 Consider Approval of Change Order No.1 to CMAS Purchase Agreement with Ojo Technology, Inc. in the Amount of \$661.16 to Purchase and Install Extended Mounting Arms for Two Exterior Parapet Cameras at the NCLA Building at the College of Alameda. Presenter: Acting Vice Chancellor Atheria Smith
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Jan 19, 2021
Absolute Date	Feb 09, 2021
Fiscal Impact	Yes
Dollar Amount	\$666.16
Budgeted	Yes
Budget Source	1-63-391-6403-1-710000-2361-00 (Fund63, Measure A fund)

TO: Peralta Board of Trustees

FROM: Atheria Smith, Vice Chancellor of Department of General Services

PREPARED BY: Roebbelen CM

BACKGROUND/ANALYSIS:

The New Center of Liberal Arts Project (“Project”) includes the construction of a new classroom building at the College of Alameda campus. At this time, the District wishes to procure two extended mounting arms to properly secure security cameras at the Project from Ojo Technology Inc. (“Ojo”) via Change Order No. 1 to the CMAS Purchase Agreement under CMAS Contract Pricing and Provisions (“Agreement”) the District approved on November 10, 2020.

The extended mounting arms are needed for two parapet cameras to accommodate roofing design changes that were required to allow sufficient clearance for the construction and maintenance of a new East Bay Municipal Water District main water pipeline adjacent to the Project.

Pursuant to Public Contract Code § 20653, the District can procure goods and services via State of California Department of General Services’ competitively bid CMAS contracts. By doing so, the District removes repetitive, resource intensive, costly and time-consuming bid processes.

Under the Agreement and this Change Order No. 1, Ojo will ultimately install the server and twenty-nine (29) cameras required to fully secure the new building.

In the 2020-2021 Fiscal Year, the District approved Change Order No. 5 to the Construction Agreement with Ojo for the Emergency Blue Phones Project at Laney College, Merritt College and the District Administrative Center (“District Wide Blue Phone Project”). In addition, the District approved the release of the remaining 5% retention held under the District’s construction contract with Ojo for the District Wide Blue Phone Project. Ojo was also awarded the Agreement upon which this change order is based on November 10, 2020.

Contract Scope	Total Contract Amount	Board Approval date
District Wide Blue Phone Change Order No. 5	\$1,344,265.62	Jul 28, 2020
District Wide Blue Phones Release of Retention	\$1,344,265.62	September 15, 2020
NCLA Security Cameras and Server CMAS Purchase Agreement	\$95,353.41	November 10, 2020
NCLA Security Cameras and Server CMAS Purchase Agreement Change Order No. 1	\$666.16	Pending February 9, 2021

TOTAL FOR CMAS Purchase Agreement & Change Order No. 1	\$96,019.75	
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There are 3 Budget Strings associated with this Project. Change Order No.1 is a material only change impacting only budget string 1-63-391-6403-1-710000-2361-00.

Contact Information:

Ojo Technology Inc.
1485 Bayshore Blvd. #199
San Francisco, CA, 94124
Ph: (415) 801-2582

Per Change Order No. 1, Ojo will procure and install extended Pelco PP450 mounting arms for the two (2) parapet mounted cameras in lieu of the standard-length Hanwha arms.

ANTICIPATED COMPLETION DATE:

The anticipated completion date for this Project is February 28,2021.

EVALUATION AND RECOMMENDED ACTION:

The Project Manager, Acting Vice Chancellor of General Services, Campus IT staff and the Interim Chancellor recommend approval.

File Attachments

Ojo Technology_NCLA Camera Install CO1 MARC package signed.pdf (15,438 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 - FACILITIES

Subject	7.3 Consider Approval of Resolution No. 20/21-19 Authorizing Lease of Relocatable Structures for the Laney College Locker Room Interim Campus Pursuant to Public Contract Code Section 20652, and Approval of a Revised Form of Agreement Incorporating Piggyback Contract with Mobile Modular Management Corporation in an amount Not-to-Exceed \$957,204.02. Presenter: Acting Vice Chancellor Atheria Smith.
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Feb 09, 2021
Absolute Date	Feb 09, 2021
Fiscal Impact	Yes
Dollar Amount	\$957,204.02
Budgeted	Yes
Budget Source	Funds 63 – Measure A

TO: Peralta Board of Trustees

FROM: Atheria Smith, Acting Vice Chancellor of Department of General Services

PREPARED BY: Swinerton CM

BACKGROUND/ANALYSIS:

On June 23, 2020, the Board of Trustees adopted Resolution No. 19/20-64 authorizing Lease of Relocatable Structures for the Laney Locker Room Interim Campus pursuant to Public Code Section 20652, and approved an Agreement Incorporating Piggyback Contract with Mobile Modular Management Corporation. The Agreement Incorporating Piggyback Contract attached to Resolution No. 19/20-64, and adopted by the Board, did not memorialize the parties' agreement with respect to a termination of the lease prior to the expiration of the lease term or an extension of the lease term beyond the initial lease term. The revised agreement attached as Exhibit 1 to Resolution No. 20/21 represents the parties' entire agreement regarding the lease of the Relocatable Structures for the Laney Locker Room Renovation and Interim Locker Room Project ("Project"). In addition, the agreement includes a scope reduction as District staff have determined that two (2) of the ten (10) portables will only be needed for twelve (12) months as opposed to the originally anticipated twenty-four (24) months.

In connection with the Project Peralta Community College District ("District") is undertaking, the District seeks to lease relocatable modular classroom, locker room, and restroom structures ("Relocatable Structures") for the Laney Locker Room Interim Campus.

Under Public Contract Code section 20651, the District is required to competitively bid the lease or purchase of equipment, materials, or supplies that exceeds \$95,200 for 2020. Public Contract Code section 20652, commonly referred to as a piggybacking statute, is as an exception to the competitive bidding requirement and allows the District to lease or purchase equipment, materials, or supplies by utilizing an existing contract authorized by law between a vendor and another public agency under the same terms as are available to the other public agency under the existing contract.

As detailed in Resolution No. 19/20-64 and in Resolution No. 20/21, Pajaro Valley Unified School District has procured a contract ("Piggyback Contract") with McGrath RentCorp. dba Mobile Modular Management Corporation ("Mobile Modular") for the lease or purchase of the Relocatable Structures. The Piggyback Contract provides that any California community college district may lease or purchase the Relocatable Structures at the same price and upon the same terms as the Piggyback Contract.

District staff and consultants researched the costs and terms of the Piggyback Contract and believe that the prices of the Piggyback Contract are reasonable and that it would be in the best interests of the District to utilize the Piggyback Contract to lease the Relocatable Structures pursuant to the Agreement Incorporating Piggyback Contract ("Agreement") with Mobile Modular.

Contact Information for Mobile Modular is as follows:

Attn: Carl Yeremian
 McGrath RentCorp. dba Mobile Modular Management Corporation
 5700 Las Positas Road

Livermore, CA 94551

DELIVERABLES/SCOPE OF WORK:

Mobile Modular will supply, install, and lease ten (10) Relocatable Structures to the District as follows:

Building Type	Delivery & Installation	Monthly Rent	Term Rent	Return Charges	Total
12 Months Lease					
(2) 48x40 [R1,R2]	\$70,110.51	\$4,610.00	\$55,320.00	\$26,918.51	\$152,349.02
24 Months Lease					
(3) 36x40 [R3,R4,R5]	\$148,619.00	\$6,642.00	\$159,408.00	\$26,545.00	\$334,572.00
(3) 36x40 [R6, R7, R8]	\$108,195.00	\$6,642.00	\$159,408.00	\$26,610.00	\$294,213.00
(2) 12x40 [Restrooms]	\$25,562.00	\$5,466.00	\$131,184.00	\$19,324.00	\$176,070.00
					\$957,204.02

The Contract Price shall not exceed \$957,204.02 for the fully-installed Relocatable Structures leased for twelve (12) and twenty-four (24) months, including, without limitation, taxes, delivery, installation, labor, required payment and performance bonds and Vendor insurance per the Piggyback Contract, and removal/return.

ANTICIPATED COMPLETION DATE:

By no later than March 30, 2021, Mobile Modular shall complete all installation and related work and the lease of the Relocatable Structures shall commence. By March 30, 2022, the 12-month lease will conclude and Mobile Modular will remove and return the Relocatable Structures, unless the lease term is shortened or extended by agreement of the parties. By March 30, 2023, the 24-month lease will conclude and Mobile Modular will remove and return the Relocatable Structures, unless the lease term is shortened or extended by agreement of the parties.

EVALUATION AND RECOMMENDED ACTION:

The Interim Chancellor and the Acting Vice Chancellor of General Services recommend the adoption of Resolution No. 20/21-19 and approval of the revised form of Agreement.

File Attachments

[MARC Mobile Modular Agreement - signed - v2.pdf \(122 KB\)](#)

[Resolution Authorizing Piggyback Procurement - Mobile Modular \(Updated.1.29.21\)\(CLEAN\) CB 20210205 - v2.pdf \(32,642 KB\)](#)

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. ACTION ITEMS

Subject	8.1 Consider Second Reading and Approval of Proposed Board Policies. Presenter: Interim Chancellor Carla Walter (5 minutes)
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Feb 09, 2021
Absolute Date	Feb 09, 2021
Fiscal Impact	No
Budgeted	No
Budget Source	N/A
Goals	D: Strengthen Accountability, Innovation and Collaboration

TO: Peralta Board of Trustees

FROM: Dr. Carla Walter, Interim Chancellor

PREPARED BY: Maisha Jameson, Board Clerk

BACKGROUND/ANALYSIS:

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

- **BP 2355 - Speakers and Decorum** (This policy was last updated in 2011.)
- **BP 4220 - Standards of Scholarship** (This policy was last updated in 2019.)
- **BP 4400 - Community Service Programs** (This policy was last updated in 2012.)
- **BP 5010 - Admissions and Concurrent Enrollment** (This policy was last updated in 2015.)
- **BP 7510 - Domestic Partners** (This is a new policy.)

EVALUATION AND RECOMMENDED ACTION:

The Interim Chancellor recommends approval.

File Attachments

BP 2355 Speakers and Decorum.pdf (101 KB)
 BP 4220 Standards of Scholarship.pdf (136 KB)
 BP 4400 Community Service Programs.pdf (148 KB)
 BP 5010 Admissions and Concurrent Enrollment.pdf (198 KB)
 BP 7510 Domestic Partners.pdf (191 KB)

8. ACTION ITEMS

Subject	8.2 Consider Approval of an Agreement between the District and AGB Search in an Amount Not-to-Exceed \$66,000 to Assist in the Comprehensive Search for the Permanent Chancellor of the Peralta Community College District. Presenter: Board President Cindi Napoli-Abella Reiss (5 minutes)
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Feb 09, 2021
Absolute Date	Feb 09, 2021
Fiscal Impact	Yes
Dollar Amount	\$66,000.00
Budgeted	Yes
Budget Source	General Fund (1-01-113-5105-1-660600-0000-00)

TO: Peralta Board of Trustees

FROM: Dr. Cindi Napoli-Abella Reiss, Board President

PREPARED BY: Socorro Taylor, Executive Assistant, Human Relations

BACKGROUND/ANALYSIS:

At its January 12, 2021 Special Board meeting, the Board selected AGB Search to provide executive search services to the District for the new Chancellor of Peralta. Four search firms submitted proposals, and all four made presentations to the Board and were provided full consideration. The search for the permanent Peralta Chancellor will be led by Dr. Kim Bobby, Executive Search Consultant with AGB Search, LLC.

DELIVERABLES/SCOPE OF WORK:

Conduct the search for the permanent chancellor for the District.

ANTICIPATED COMPLETION DATE:

June 30, 2021

EVALUATION AND RECOMMENDED ACTION:

Board President Dr. Cindi Napoli-Abella Reiss recommends approval.

File Attachments

02_09_21 Board meeting - Revised AGB Search Contract - signed.pdf (1,916 KB)

8. ACTION ITEMS

Subject **8.3 Consider Ratification of Approval of an Academic (Faculty) Personnel Item (Retirement). Presenter: Acting Vice Chancellor Ronald McKinley (5 minutes)**

Meeting Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Action

Preferred Date Feb 09, 2021

Absolute Date Feb 09, 2021

Fiscal Impact No

Budgeted No

TO: Peralta Board of Trustees

FROM: Dr. Ronald McKinley, Acting Vice Chancellor for Human Resources & Employee Relations

PREPARED BY: Socorro Taylor, Executive Assistant, Human Resources & Employee Relations

BACKGROUND/ANALYSIS:

APPROVAL OF ACADEMIC (FACULTY) PERSONNEL ITEMS

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

A. ACADEMIC (FACULTY)

EMPLOYMENT

(NP = New Position *= New Employee)

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
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None	<u>Berkeley City College</u>	
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None	<u>College of Alameda</u>	
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None	<u>District Office</u>	
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None	<u>Laney College</u>	
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None	Merritt College	
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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>
None	<u>Berkeley City College</u>	
None	<u>College of Alameda</u>	
Bob Grill Academic retirement, effective February 1, 2021.	Full-Time Faculty	Business & Transportation/Dean Ana McClanah
None	<u>District Office</u>	
None	<u>Laney College</u>	
None	<u>Merritt College</u>	

2. Resignation

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

EVALUATION AND RECOMMENDED ACTION:

The Interim Chancellor and Active Vice Chancellor of Human Resources & Employee Relations recommends approval.

8. ACTION ITEMS

Subject	8.4 Consider Approval of Classified Personnel Items. Presenter: Acting Vice Chancellor Ronald McKinley (5 minutes)
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Feb 09, 2021
Absolute Date	Feb 09, 2021
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund

TO: Peralta Board of Trustees

FROM: Dr. Ronald McKinley, Acting Vice Chancellor for Human Resources & Employee Relations

PREPARED BY: Socorro Taylor, Executive Assistant, Human Resources & Employee Relations

BACKGROUND/ANALYSIS:

APPROVAL OF CLASSIFIED PERSONNEL ITEMS

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

A. CLASSIFIED 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>	
Marshniel Chandra* Recommendation to hire Marshniel Chandra, effective February 10, 2021.	<u>District Office</u> Human Resources Generalist	Human Resources/Acting Vice Chancellor Ronal
Angela Perry* Recommendation to hire Angela Perry, effective February 16, 2021.	Human Resources Generalist	Human Resources/Acting Vice Chancellor Ronal
Karen Tellegen Recommendation to hire Karen Tellegen, effective February 10, 2021	<u>Laney College</u> Staff Assistant/Instruction	Vice President of Instruction/Acting Vice Preside Fields
	<u>Merritt College</u>	

Chungwai Chum
Ratification of approval to hire Chungwai Chum, effective February 8, 2021.

Principal Accounting Technician

Business Office/President David Johnson

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>
None	<u>Berkeley City College</u>	
None	<u>College of Alameda</u>	
Nha Le Classified retirement, effective April 1, 2021.	<u>District Office</u> International Student Support Specialist	International Education/Director Thomas Torres-
None	<u>Laney College</u>	
None	<u>Merritt College</u>	

2. Resignation

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

E. SHORT-TERM NON-CONTINUING POSITIONS

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
None	<u>Berkeley City College</u>	
Haonan Zhu Ratification of approval to extend the short-term assignment of Instructional Assistant to Dance Instructor Danny Nguyen, effective January 25, 2021 through May 28, 2021.	<u>College of Alameda</u> Instructional Assistant/Unspecified	Business & Transportation/Dean Ana McClanah

District Office

None

Laney College

None

Merritt College

None

EVALUATION AND RECOMMENDED ACTION:

The Interim Chancellor and Acting Vice Chancellor of Human Resources & Employee Relations recommends approval.

8. ACTION ITEMS

Subject **8.5 Consider Approval of a Management Personnel Item (Retirement). Presenter: Acting Vice Chancellor Ronald McKinley (5 minutes)**

Meeting Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Action

Preferred Date Feb 09, 2021

Absolute Date Feb 09, 2021

Fiscal Impact No

Budgeted No

TO: Peralta Board of Trustees

FROM: Dr. Ronald McKinley, Acting Vice Chancellor for Human Resources & Employee Relations

PREPARED BY: Socorro Taylor, Executive Assistant, Human Resources & Employee Relations

BACKGROUND/ANALYSIS:

APPROVAL OF MANAGEMENT PERSONNEL ITEMS

New employment; changes in assignment, compensation, and placement; leaves of absence; changes in staff allocation; retirements, phase-in retirements and resignations.

A. ADMINISTRATIVE APPOINTMENT, REAPPOINTMENT, ASSIGNMENT AND REASSIGNMENT

(NP = New Position *= New Employee)

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

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>
None	<u>Berkeley City College</u>	

College of Alameda

None

District Office

None

Laney College

Peter Crabtree
Retirement effective July 1, 2021

Dean of Academic & Student Affairs

Instruction/Acting Vice President Mark Fields

Merritt College

None

2. Resignation

Berkeley City College

None

College of Alameda

None

District Office

None

Laney College

None

Merritt College

None

EVALUATION AND RECOMMENDED ACTION:

The Interim Chancellor and Acting Vice Chancellor of Human Resources & Employee Relations recommends approval.

9. REPORTS

Subject	9.1 Board of Trustees' Reports (20 minutes)
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

11. ADJOURNMENT

Subject	11.1 Meeting Adjournment
Meeting	Feb 9, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural