



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT

Minutes of the Regular Meeting of October 12, 2004, 5:35 PM, Merritt College, 12500 Campus Drive, Oakland, California

Present: Trustees Clifton, Duncan, Handy, Moore, Riley, President Baranco  
Absent: Student Trustees Spencer and Watkins-Tanner

The regular meeting was convened into open session at 5:35 PM by President Baranco for the purpose of reporting to the public the topics to be discussed in closed session. The closed session was convened at 5:35 PM by President Baranco who presided; the closed session adjourned at 6:50 PM; the regular meeting convened at 7:03 PM by President Baranco who presided. The roll was called by the recording secretary.

#### REPORT OF CLOSED SESSION ITEMS

There were no actions to report from closed session.

#### APPROVAL OF AGENDA

ACTION: Upon a motion by Trustee Riley, seconded by Trustee Moore, the Board voted to approve the agenda as presented. Student Trustees Spencer and Watkins-Tanner were absent.

#### MINUTES

1. Consider Approval of Minutes

\_\_\_\_\_ Included in agenda materials for consideration were the minutes of the September 14, 2004 and September 28, 2004 meetings of the Board of Trustees. The Chancellor recommended approval.

ACTION: Upon a motion by Trustee Riley, seconded by Trustee Moore, the Board voted to approve the minutes of the September 14, 2004 and September 28, 2004 meetings. Trustee Duncan abstained on the September 28, 2004 minutes, as she was not in attendance at this meeting. Student Trustees Spencer and Watkins-Tanner were absent.

#### PRESENTATION

2. Report from Legislative Lobbyist

\_\_\_\_\_ Peralta Legislative Lobbyist, Patrick McCallum, addressed Trustees regarding Legislative actions affecting education. Introducing this subject, Mr. McCallum explained that he has represented the Peralta district for the past year at the Legislative level as a lobbyist attempting to increase unfunded growth. Peralta received an additional \$1.7 million of the \$27 million set aside this year for unfunded students.

Speaking to community college funding, colleges throughout the state received a 7% increase, received 3% for enrollment growth and receiving a 2.14% COLA. However, the increase in tuition has caused a decrease in enrollment in many college throughout the state; Peralta is not one of those districts.

\_\_\_\_\_ Lobbyist McCallum next addressed Trustees with regard to significant signed legislation including bills regarding textbooks and facilities. It is recommended that for the community colleges' 2005/06 budget request: increase of \$500 million in ongoing Prop. 98 funds and \$53.7 million in one time funds—a 10% increase; significant increase for enrollment growth, equalization and non-credit; restoration of previously-lost funding that includes Partnership for Excellence, without an agreement to modify the K-12 compact with the Governor, and sufficient funding for COLA and enrollment growth.

\_\_\_\_\_ Mr. McCallum outlined upcoming budget challenges, stating that the Governor's agreement with CTA guarantees COLA plus growth with \$800 million to K-12 - Prop. 98 expected to be up \$3 billion. For the remainder of the decade, community college enrollments will grow between 3-4%. The Legislature has a history of suspending the Prop. 98 split requirement (Peralta was shortchanged by \$6.5 million in 2002/03). Mr. McCallum stated that low revenue districts will continue to push for equalization which does not benefit Peralta; the statutory growth rate is inadequate for community colleges.

\_\_\_\_\_ In summary, Mr. McCallum stated that the major challenges facing community college finances are Prop. 98 limitations/split, community college funding formula and priorities.

#### ASSOCIATED STUDENTS

Candice Freeman, President-Merritt College Assoc. Students and Franklin Reece-Vice President-Merritt College Assoc. Students, presented plaques to President Baranco and Merritt President Wesley commemorating the district's 40<sup>th</sup> anniversary and Merritt College's 50<sup>th</sup> anniversary respectively. Mr. Reece spoke about the new political action Social Action Fund financed by the NAACP for use in voter registration.

At this time in the meeting, Merritt's 50<sup>th</sup> Anniversary Choir performed.

#### PRESIDENTS

Merritt College President Wesley highlighted the various activities that have occurred and will occur celebrating Merritt's 50<sup>th</sup> anniversary. President Wesley introduced members involved in the shared governance process that has been ongoing at Merritt College: Vice President Jordan-Cox, Norbert Bischof, Candice Freeman and Tom Baranca each of whom elaborated on the process that included all components of the campus.

#### COMMUNICATIONS FROM MEMBERS OF THE PUBLIC

Speaker Johnson, Executive Director of MINDS (Multicultural Initiative for Negotiating Diversity and Support Services) addressed the Board with regard to the MINDS mission to empower underrepresented students to apply and attend highly-competitive institutions, such as UC Berkeley, while giving them an understanding of the importance of diversity in higher education.

Speaker James, COA student and City of Alameda resident, addressed the Board with regard to vacate notices.

#### ACTION/ROLL CALL ITEMS

3. Accreditation Progress Report - College of Alameda **Presenter: President Cervantes**

College of Alameda submitted a progress report to the Accrediting Commission on March 15, 2004. A follow-up visit took place on March 26, 2004. In June, the Commission accepted the report with the requirement that the college submit a Progress Report by October 15, 2004. This report will be followed by a visit from Commission representatives on November 8, 2004. The Chancellor recommended approval.

4. Accreditation Progress Report - Laney College **Presenter: President Johnson**

Laney College submitted a progress report to the Accrediting Commission on March 15, 2004. A follow-up visit took place on March 26, 2004. In June, the Commission accepted the report with the requirement that the college submit a Progress Report by October 15, 2004. This report will be followed by a visit from Commission representatives on November 8, 2004. The Chancellor recommended approval.

5. Accreditation Progress Report - Merritt College **Presenter: President Wesley**

Merritt College submitted a progress report to the Accrediting Commission on March 15, 2004, with a team visit on March 26, 2004. The College President, Vice President of Instruction, and governance presidents appeared before the Commission on June 11 to apprise Commissioners of continuing progress on accreditation standards. The college was informed on June 25, 2004, that its Warning Status had been removed. The college is to submit a Progress Report by October 15, 2004, and will be visited November 8, 2004, by Commission representatives. The Chancellor recommended approval.

6. Accreditation Progress Report - Vista College **Presenter: President Walters**

Vista Community College submitted a progress report to the Accrediting Commission on March 15, 2004. A follow-up visit took place on March 26, 2004. In June, the Commission accepted the report with the requirement that the college submit a Progress Report by October 15, 2004. This report will be followed by a visit from Commission representatives on November 8, 2004. The Chancellor recommended approval.

7. Holiday Closure (*Pulled*)

\_\_\_\_\_ The collective bargaining agreements with the classified employees provide three days of paid leave when the district is closed between Christmas and New Year's holidays. Each year, the Board of Trustees approves the specific dates for the holiday closure of the district offices between Christmas and New Year's holiday. For 2004/05, the appropriate days are Monday, Tuesday and Wednesday, December 27, 28 and 29, 2004. The Chancellor recommended approval.

8. Consider Resolution 04/05-17, Trustee Absence from Meeting

\_\_\_\_\_ Trustees were asked to consider Resl. 04/05-17, approving the absence of Student Trustee Lana Spencer from the September 28, 2004 Board meeting due to illness. The Chancellor recommended approval.

9. Consider Elimination of Benefits Analyst Position; Consider Creation of Benefits Coordinator; and Consider Request to Advertise **Presenter: Vice Chancellor Largent**

Trustees were requested to consider and approve the elimination of the currently funded Benefits Analyst (Confidential) position and the creation of a new position entitled Benefits Coordinator (Confidential). Further, Trustees are requested to approve the immediate advertisement of the Benefits Coordinator to provide necessary and consolidated services in the area of Employee Fringe Benefits. A copy of the proposed job description is included in Board packets. The Chancellor recommended approval.

10. Request to Advertise

<u>Classified</u>	<u>Location</u>
Secretary (Student Services/EOPS)	Laney
Sr. Admissions & Records Clerk	District Office

11. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees on an Emergency Basis (*Pulled for discussion*)

Pursuant to AB500, following is a report that contains the name, classification, and date of hire, assignment end date, hourly rate, classification, position title, location, background and experience department, and fund source of candidates recommended for short-term assignments in non-academic classified positions. Below are the names and classifications of these candidates. Each candidate's assignment will not exceed the District's established fiscal-year limit of 184 days.

Last Name	First name	Date of		Prior		
		Hire	End Date	Classified	Position Title	Site
Yan	Kim	10/13/04	03/31/05	Yes	Clerical Assistant	M
Huang	Shirley	10/13/04	12/19/04	Yes	Instructional Assistant	M
Amarna	Virginia	10/13/04	12/17/04	Yes	Secretary	L
Hao	Banh	10/13/04	12/31/04	No	Cook	L
Hao	Banh	10/13/04	12/31/04	No	Child Care Assistant II	L

MOTION: It was moved by Trustee Moore, seconded by Trustee Riley, to approve Items 3, 4, 5, 6, 8, 9 and 10 as presented. (Vote recorded below)

Prior to the vote on the above motion, there was discussion with regard to receiving comments from the College Presidents having to do with the college accreditation reports.

SUBSTITUTE MOTION/ACTION: Upon a motion by Trustee Clifton, seconded by Trustee Baranco, the Board voted to approve Items 8, 9 & 10, as presented, by the following called vote:

AYES: Trustees Clifton, Duncan, Handy, President Baranco  
 NOES: Trustees Moore and Riley  
 ABSTAIN: None  
 ABSENT: Student Trustees Spencer and Watkins-Tanner

#### VOTE ON ORIGINAL MOTION

FAILED: Upon a motion by Trustee Moore, seconded by Trustee Riley, the Board voted on the original motion by the following called vote:

AYES: Trustees Moore and Riley  
 NOES: Trustees Clifton, Duncan, Handy, President Baranco  
 ABSTAIN: None  
 ABSENT: Student Trustees Spencer and Watkins-Tanner

At this point in the meeting, the College President (Vice President Webb representing Laney President Johnson) spoke to the Board with regard to the accreditation progress report that were presented to the Board for their review. All reports highlighted the need for the colleges to develop a strategic plan for integrated planning. The accreditation team will visit the district office and campuses on November 8, 2004.

Trustee Duncan pointed out that her name was not included in Vista's report and she requested a correction. In response to a question by Trustee Moore regarding the progress being made on the funding formula, Vista President Walters stated that a budget advisory committee and subgroup are working on this as well as the convening of a budget allocation committee. Trustees requested that the administration make a report on the funding allocation formula model at the October 26, 2004 Board meeting.

ACTION: Upon a motion by Trustee Duncan, seconded by Trustee Moore, the Board voted to approve Items 3, 4, 5 and 6 as presented. Student Trustees Spencer and Watkins-Tanner were absent.

*Speaking to Item 11, pulled,* Counsel Nguyen brought an urgent request to add the name of Derryn Grey to the short-term hourly list, Item 11.

ACTION: Upon a motion by Trustee Moore, seconded by Trustee Clifton, the Board voted to accept the urgent request to add the name of Derryn Grey to the short term hourly list being considered, Item 11. Student Trustees Spencer and Watkins-Tanner were absent.

ACTION: Upon a motion by Trustee Moore, seconded by Trustee Riley, the Board voted to approve Item 11 as presented. Student Trustees Spencer and Watkins-Tanner were absent.

INFORMATIONAL ITEMS AND ORAL REPORTS

*CHANCELLOR*

12. Alameda County Treasurer's Investment Report - August, 2004

\_\_\_\_\_ Included in Board packets for informational purposes only was a copy of the Investment Report, August, 2004. This report was submitted by the County of Alameda Treasurer and reports the County cash pool and investments for the month of June 2004.

*ACADEMIC SENATE*

DAS President Bielanski addressed Trustees relative to the accreditation reports, speaking specifically to recommendation #4 "...it is recommended that the districtwide plan integrate the educational master plans and program reviews of the college." Mr. Bielanski continued that when creating a response, there are a number of plans currently in existence that need to be integrated into a comprehensive student services plan including matriculation, EOPS, DSPS, etc. Instructional service plans include planning that evolves from program review and which are regularly reviewed in the master plan at each college. There are also various plans which evolve into grant applications and physical resources plans. Mr. Bielanski addressed Trustees relative to the need for districtwide cooperation, collaboration and communication in order to produce a district plan that successfully educates as many students as possible. The two questions the district plan must ask are: how does this increase district access? and, how well does this make students successful?

BOARD COMMENTS

Trustee Clifton commented that she recently attended Laney's very successful and well-attended Hip Hop Summit and thanked Dean Judith James, Laverne Stewart and Student Trustee Watkins-Tanner for coordinating this event. Trustee Clifton stated that she was looking forward to sharing with her colleagues the information she received at a recent ACCT Conference dealing with entrepreneurship.

Trustee Handy addressed Trustees with regard to her attendance at Laney's successful Business Symposium that included speeches by businessman George Zimmer and that was facilitated by local anchorwoman Renee Kemp.

President Baranco adjourned the meeting by thanking Merritt College for hosting tonight's meeting.

ADJOURNMENT: Time: 8:58 PM

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



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT

Minutes of the Regular Meeting of October 26, 2004, 5:25 PM, District Administrative Center, 333  
E. 8th Street, Oakland, California

Present: Trustees Clifton, Duncan, Handy, Moore, Riley, President Baranco, Student Trustees Spencer and Watkins-Tanner  
Absent: None

The regular meeting was convened into open session at 5:25 PM by President Baranco for the purpose of reporting to the public the topics to be discussed in closed session. The closed session convened at 5:25 PM by President Baranco who presided; the closed session adjourned at 7:01 PM; the regular work session convened at 7:21 PM by President Baranco who presided. The roll was called by the recording secretary.

#### REPORT OF CLOSED SESSION ITEMS

President Baranco announced that at tonight's closed session, the Board approved the following classified positions: Two Child Care Assistants II, College of Alameda; Two Child Care Specialists, Merritt College; Child Care Specialist, College of Alameda; EEOC Coordinator (Confidential), District Office, by the following called vote: AYES: 4; NOES: 0; ABSTAIN: 0; Absent: 2.

#### APPROVAL OF AGENDA

ACTION: Upon a motion by Trustee Riley, seconded by Trustee Handy, the Board voted to approve the agenda, pulling Items 3, 4, 6 and 21. Trustee Moore was absent for the vote.

#### COMMUNICATIONS FROM MEMBERS OF THE PUBLIC

There were no speaker cards submitting from members of the public.

#### ACTION ITEMS (*Time Sensitive Items*) - Heard at this time

18. Approval of Scope/Budget Increase, New Art Building, Laney College

Approval was requested to increase the scope and project budget for the New Art Building at Laney College. The increased project scope will include:

1. Space to relocate the Art Department currently housed in Laney Building A, so that all art programs will be located in the new building.
2. Foundation design changes.
3. Regulatory requirement changes.
4. Soft cost increases, including consultant fees.
5. Furniture, Fixtures and Equipment (FFE) expenses not included in the original approved budget.

The total estimated increase to the project budget is \$4,425,286. The District must fund item #1. The District will seek funding for items #2, 3 and 4 from CalTrans, as they are directly related to the functional replacement of the Art Annex. There is currently no identified funding source for #5, however, some fixed fixtures and equipment may qualify for Measure E funding. Included with Board members' materials is further information regarding the proposed scope and budget increases. The Chancellor recommended approval.

Chancellor Harris introduced this item by stating that the district was paid \$4.5 million by CalTrans for the land currently housing the Art Annex. Cal Trans will use the land for a staging area during the I-880 freeway retrofit. A site on the Laney campus was selected for the relocation of the Art Annex; the site is now being expanded by approximately 4,000 sq. ft. to accommodate Laney's entire art program. Approximately \$1.2 million from Measure E funds will be needed to fund the additional construction, and there will be a delay of approximately four months. General Services Director Ikharo continued that Cal Trans has agreed in principle to absorb the cost of the added piers and additional time to complete the project if it goes beyond their first deadline of December 2005.

In answer to a Trustee question, Mr. Ikharo responded that the new plans must be approved by the State but that approval is anticipated even if Peralta is considered "overbuilt."

19. Approval of Additional Architectural Services, Beverly Prior Architects, New Art Building, Laney College

To perform professional architectural services associated with the additional scope of work identified in the item above, Beverly Prior Architects requested a fee increase in the amount of \$228,889. The total fee, including the requested increase, is \$856,575, which is 8.5% of the current estimated construction costs. The Chancellor recommended approval.

20. Approval for Additional Construction Management Services, MSE Group, New Art Building, Laney College

To perform professional construction management services associated with the additional scope of work identified in the item above, MSE Group requested a fee increase in the amount of \$134,128. The total fee, including the requested increase, is \$503,867, which is 5% of the estimated construction cost. The Chancellor recommended approval.

ACTION: Upon a motion by Trustee Handy, seconded by Trustee Riley, the Board voted to approve Items 18, 19 and 20 as presented. Trustee Moore was absent for the vote.

Speaker Ward-Allen asked if the Art Annex architects had been working in concert with Laney's Art Department on the development of the project.

In answer to speaker Ward-Allen's inquiry and an inquiry by Trustee Duncan, the Art Annex Project Manager, Steve Parker, stated that his firm has worked with all user groups at Laney College and explained via review of renderings, the architecture of the future art annex and its security measures.

#### REVIEW AND DISCUSSION OF PROPOSED AGENDA ITEMS

1. Request Board Authorization to enter into a Contract Agreement with IPA Planning Solutions, Inc. to Provide Professional Services in the Preparation of the District's Facilities Master Plan and Bond Measure Reporting **Presenter: Director of General Services Ikharo**

The Administration requested the Board of Trustees Authorization to enter into an annual three-year renewable Contract Agreement with IPA Planning Solutions, Inc., of Oakland, CA, in the estimated amount not to exceed \$90,000 excluding any reimbursable expenses. IPA will work in collaboration with District's staff to provide a complete and comprehensive strategic master plan that will enable the District to build its capital land and facilities improvement. IPA will work with the District staff and Bond Counsel to ensure the accuracy, proper representation, and develop standard monthly, and quarterly reporting on the Bond Measure to inform the Chancellor, Facility Committee, and the Board of Trustees on the District's progress, and priorities. The Chancellor recommended approval.

Speaker Gulassa made an inquiry regarding whether or not the strategic plan would include the educational aspects as well as the physical plant aspects. In answer, Chancellor Harris stated that the consultant will work with the Board's Facilities Committee in order to develop a comprehensive development plan for all campuses. Continuing, Chancellor Harris stated that timelines will be developed in conjunction with the Facilities Committee and report to the Board within the next 12 months.

Trustee Duncan voiced her pleasure with this contract because of the need of a districtwide master facilities plan.

**ACTION:** Upon a motion by Trustee Duncan, seconded by Trustee Clifton, the Board voted to approve Item 1 as presented.

*At 7:53 PM, Trustee Moore arrived at the meeting.*

2. Request Board Authorization to Award Bid No. 04-05/02 to Wesco Graphics Inc., for a three-year (2005-2007) Contract to Print the Class Schedules District-wide

The District's Marketing, Public Relations, and Communications Department solicited vendors to print the Class Schedules for all the District's Colleges. This bid enabled the District to select a vendor that would commit to hold prices for future printing of the District's Class Schedules. Wesco Graphics Inc., of Tracy, CA, will enter into a three-year Contract Agreement with the District as the lowest responsible bidder commencing from the year 2005 through 2007 to print the Class Schedules every semester as specified for a total estimated amount not to exceed \$79,853.90 including taxes. The Chancellor recommended approval.

**ACTION:** Upon a motion by Trustee Duncan, seconded by Trustee Moore, the Board voted unanimously to approve Item 2, as presented.

In answer to Trustee inquiries, General Services Director Ikhara indicated that Jake Sloan is doing labor compliance for the district while Mason Tillman & Assoc. is working with small, local businesses.

3. Request Board Authorization to Award Bid No. 04-05-03 to Folger Graphics, Inc., of Hayward, CA, and Casey Printing, Inc., of King City, CA for a three-year (2005-2007) Contract to Print the District Class Catalogs (Pulled)

The District's Marketing, Public Relations, and Communications Department is soliciting vendors to print the District Class Catalogs for all the college campuses. This bid is being awarded per line items (by college), to two vendors that were the lowest responsible bidders that result in additional savings to the District. Folger Graphics, Inc., of Hayward, CA, and Casey Printing Inc., of King City, CA will receive camera-ready artwork, photos, and final prints (on diskettes PageMaker Software), to produce catalogs for all the colleges. The District intends to enter into a three-year Contract Agreement with Folger Graphics, Inc., of Hayward, CA, to print and bind catalogs for College of Alameda, and Vista College in the estimated amount not to exceed \$22,456.88 including taxes from 2005 through 2007. The District also intends to enter into a three-year Contract Agreement with Casey Printing, Inc., of King City, CA, to print and bind catalogs for Laney College, and Merritt College in the estimated amount not to exceed \$28,475.09 including taxes from 2005 through 2007. The Chancellor recommends approval.

## BOARD/DISTRICT COMMUNICATIONS

**CHANCELLOR**



4. Funding Allocation Formula **(Pulled)**

\_\_\_\_\_ Per a Trustee request at the October 12, 2004 Board meeting, administrative staff will bring a report with regard to a funding allocation formula.

5. Student Activities Recommendation- 2005/06 (For Possible Action) **Presenter: Vice Chancellor Perdue**

\_\_\_\_\_ Included in agenda packets was a report and recommendation emanating from the Board's Student Services Committee relative to student life and student activities for 2005/06. Also included was a budget for this activity function.

Vice Chancellor Perdue informed that three years ago the Student Success Project began looking at student services, and, under the leadership of Trustee Riley, the Board's Student Services Committee produced a framework to be used to invigorate student life on the campuses. The proposal was brought for review by the Board at tonight's meeting, and the activities plan will be decided by the students. The district commitment includes a yearly budget of \$44,500 per campus.

Student Trustees Spencer and Watkins-Tanner acknowledged the hard work of the Student Services Committee and Chancellor's staff and pointed out the need for student government review and input at all the colleges.

Trustee Moore indicated that he believed the students should look at a concrete document, that a blue ribbon commission should be established to study the document and that students should be involved in every aspect of this endeavor.

Student Trustees Spencer and Watkins-Tanner stressed the urgency of this issue and further stated that this document will come before the students; the students will have an opportunity to reinforce the areas where it is weak, and that the students will bring back a timetable to Trustees at their next meeting.

ACTION (AMENDED MOTION):      Upon a motion by Trustee Riley, seconded by Trustee Handy (both approving amended motion), the Board voted to approve the document presented in Item 5 as a working document with the direction to the Student Trustees to receive comments and return with an action plan.

6. Information Report: Procedures for Uniform Student Elections **(Pulled)**

Vista Vice President Mario Rivas will bring a report to Trustees from the Board's Student Services Committee with regard to procedures for uniform student elections.

*BOARD OF TRUSTEES*

7. Consider External Audit of Bond Expenditures

\_\_\_\_\_ Trustee Duncan, Chair of the Board's Facilities Committee, requested that the administration review the possibility of including an annual audit of all district bond expenditures in the district's external audit.

ORIGINAL MOTION:      It was moved by Trustee Duncan, seconded by Trustee Moore that the administration consider that the audit of the bond expenditures would become part of the external audit.

FRIENDLY AMENDMENT: It was moved that the makers of the original motion consider the following friendly amendment: In addition to the external audit, that the Board receive periodic updates on Measure E expenditures.

Seconded of the motion, Trustee Moore, asked for clarification of the friendly amendment. Chancellor Harris gave the following clarification that was accepted by Trustee Duncan: Report on Measure E expenditures, with a statement from bond counsel regarding if the Measure E funding was correctly spent (in a separate document).

ACTION: Upon a motion by Trustee Duncan, seconded by Trustee Clifton the Board voted unanimously to approve the original motion and receive a more expansive comment on the external audit of Measure E expenditures along with an annual statement from the bond counsel as to the appropriateness of expenditures made from Measure E funds.

8. Consider Dissolving Community Committee Component of Measure E Committees

\_\_\_\_ Trustee Duncan, Chair of the Board's Measure E Committee, requested that the administration review dissolving the community component of the Colleges' Measure E Committees.

Trustee Duncan explained that in the past the district and colleges held meetings that included members of the college community to assure compliance with Measure E language. Trustee Duncan recommended that the administration disband the community committees and rely on the Facilities Committee and the audit and the results from the bond counsel.

ACTION: Upon a motion by Trustee Duncan, seconded by Trustee Clifton the Board voted unanimously to approve Item 8 as presented.

In answer to a concern voiced by Trustee Moore, Trustee Clifton stated that there has not been the type of community interest shown at the meeting and that members of the public who wish to have a greater involvement are invited to do so.

ACTION ITEMS (CON'T) (*Time Sensitive Items*)

9. Public Hearing and Approval of Request to Seek Waiver for Non-Capital Outlay Use of Proceeds from Surplus Property, Merritt College

\_\_\_\_ Pursuant to Education Code Section 81250, the Board of Trustees conducted a public hearing to seek public comment on a waiver request to utilize proceeds from the surplus property at Merritt College for non-capital outlay purposes. The property is a landlocked piece of property, Parcel Numbers APN 037A-3141-001-11 (portion) and APN 037-2685-001-31 (portion).

President Baranco gavelled in the public hearing.

With regard to this item, Counsel Nguyen explained that the Board declared surplus the above-captioned parcel of land at Merritt College and that this waiver gives the district flexibility to use the proceeds from this parcel for other needs within the district.

ACTION: Hearing no public comment and upon a motion by Trustee Riley, seconded by Trustee Moore, the Board voted unanimously to close the public hearing.

ACTION: Upon a motion by Trustee Riley, seconded by Trustee Moore, the Board voted unanimously to approve Item 9 as presented.

10. Consider Board Policy 3.25, Volunteerism

Board Policy 3.25, Volunteerism, defines volunteers as individuals or groups of individuals who provide non-compensated services. Board Policy 3.25 also delineates the standards of professional conduct and supervision of volunteers. The Chancellor recommended approval.

11. Consider Resolution 04/05-21 and 04/05-22, To Add Volunteers for Coverage Under the District's General Liability Coverage and Workers' Compensation Coverage **Presenter: Vice Chancellor Largent**

\_\_\_\_\_The current Joint Powers Agreement, governed for the District by ASCIP, requires that individuals who volunteer their time in services to the District must be named, by resolution of the Board of Trustees, as "volunteers" in order to be eligible for liability and Workers' Compensation insurance coverage. The annual review and update of the current volunteer policy and procedures will thereby enact a blanket approval of all volunteers, so named and listed at the District's Human Resources Department, so that the appropriate level of insurance coverage is maintained for coverage of the full range of volunteer services rendered. The Chancellor recommended approval.

12. Consider Board Policy 1.07/3.22, Emeritus Status

\_\_\_\_\_Trustees were asked to consider Board Policy 1.07/3.22 establishing the criteria for selection to Emeritus status for Trustees and Administrators. The Chancellor recommended approval.

13. Consider Resolution 04/05-18, Emeritus Status - Trustee Lynn Baranco

\_\_\_\_\_Trustees were asked to consider bestowing the Trustee Emeritus title to Trustee Lynn Baranco who will retire from the Board of Trustees in December, 2004. The Chancellor recommended approval.

14. Consider Resolution 04/05-19, Emeritus Status - Trustee Susan Duncan

\_\_\_\_\_Trustees were asked to consider bestowing the Trustee Emeritus title to Trustee Susan Duncan who will retire from the Board of Trustees in December, 2004. The Chancellor recommended approval.

15. Change in Position Description - Executive Assistant, Legal-Human Resources (Confidential), District Office, and Request to Advertise

\_\_\_\_\_In light of the broad range of issues handled by the Vice Chancellor for Human Resources, having potential legal implications, the knowledge, skill and ability level of the administrative support provided to this office was evaluated. It is recommended that the position of Staff Assistant (Confidential) be revised to the position of Executive Assistant, Legal. A copy of the revised job description was included in agenda packets.

16. Consider Resolution 04/05-23 - Amendment to Resolution 03/04-34, Establishing Medicare Division Election for Members of State Teachers Retirement System (STRS) Hired Prior to April 1, 1986,

By mutual agreement the District and PFT agreed to postpone the STRS Medicare election scheduled for October 20, 2004. The election will be held March 2005. The District's Office of Human Resources request the Board adoption of Resl. 04/05-23, amending Resolution 03/04-34 to establish a Medicare Division Election for members of the State Teachers Retirement System hired prior to April 1, 1986 who were not required to pay Medicare payroll tax. This will allow said employees to voluntarily elect to participate in payroll deductions for Medicare.

STRS members hired prior to April 1, 1986 will make the irrevocable individual choice whether or not to be covered in Medicare. For those who elect to be covered by Medicare they, along with the District will pay the payroll tax (1.45%) and the employees will earn Medicare credits.

17. Holiday Closure

— The collective bargaining agreements with the classified employees provide three days of paid leave when the district is closed between Christmas and New Year's holidays. Each year, the Board of Trustees approves the specific dates for the holiday closure of the district offices between Christmas and New Year's holiday. For 2004/05, the appropriate days are Monday, Tuesday and Wednesday, December 27, 28 and 29, 2004. The Chancellor recommended approval.

21. Request to Approve and Award a Bid to KIS Computer Center for District's Wireless LAN Bluesocket Security Device District-wide Bid No. 04-05/04 (Pulled)

Peralta is in the process of implementing wireless network throughout the District. The wireless project will cover common areas for students as well as the administrative areas. The main objective of procuring Bluesocket is to provide the District with a wireless gateway that sits on a network between wireless access points and the rest of the District's network with a view to secure, prevent unauthorized use, and malicious access to District's resources. Any wireless data traffic can reach the device, but unauthorized users can't get past it.

Over 200 colleges nationwide use Bluesocket. The lowest responsible bidder is KIS Computer Center of Newark, CA, in the estimated amount of \$103,555.50 including taxes. The Chancellor recommends approval.

22. Request to Advertise

<u>Classified</u>	<u>Location</u>
Financial Aid Specialist	Laney College
<u>Management</u>	<u>Location</u>
Vice Chancellor-Human Resources	District Office
General Counsel	District Office

23. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees on an Emergency Basis

Pursuant to AB500, following is a report that contains the name, classification, and date of hire, assignment end date, hourly rate, classification, position title, location, background and experience department, and fund source of candidates recommended for short-term assignments in non-academic classified positions. Below are the names and classifications of these candidates. Each candidate's assignment will not exceed the District's established fiscal-year limit of 184 days.

		<b>Date of</b>		<b>Prior</b>		<b>S it e</b>
<b>Last Name</b>	<b>First name</b>	<b>Hire</b>	<b>End Date</b>	<b>Classified</b>	<b>Position Title</b>	
Alcala	Salvador	10/27/04	10/29/04	yes	Sr. Duplicating & Supp. Svcs Tech	M
Cabarra	William	10/27/04	12/31/04	yes	Clerical Assistant	A
Hardy	Evelyn	10/27/04	12/17/04	no	Clerical Assistant/Child Development	M
Hoang	Bichthao	10/27/04	12/31/04	yes	Financial Aid Placement Asst	L
Kimball	Claire	10/27/04	11/30/04	yes	Instructional Assistant	V
Lacy	Brenda	10/27/04	12/17/04	yes	Financial Aid & Placement Assistant	M

Ludy	Jerry	10/27/04	12/31/04	yes	Clerical Assistant II	L
Mahrt	Idelle	10/27/04	12/31/04	no	Computer Operator I	D
Morris	Steven	10/27/04	12/14/04	yes	Clerical Assistant	M
Watkins	Janis	10/27/04	12/17/04	yes	Instructional Assistant	M

ACTION: Upon a motion by Trustee Moore, seconded by Trustee Riley, the Board voted to approve Items 10, 11, 12 (pulled for discussion only), 15, 16, 17, 22, and 23 (Counsel Nguyen made a correction to #23 ending date for Salvador Acala, hiring date 10/27/04, ending date 12/29/04), as presented, by the following called vote:

AYES: Trustees Clifton, Duncan, Handy, Moore, Riley, President Baranco, Student Trustees Spencer and Watkins-Tanner  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

In answer to an inquiry from Trustee Handy with regard to the types of assignments assigned to Trustee Emeritus (Item 12, pulled for discussion), Chancellor Harris stated that there may be special assignments on behalf of the district/college administration.

Trustee Moore, speaking to Items 13 and 14 pulled for discussion, indicated that it had been an honor to serve with Trustees Baranco and Duncan who will receive emeritus status.

ACTION: Upon a motion by Trustee Handy, seconded by Trustee Moore, the Board voted unanimously to approve Items 13 & 14.

Student Trustee Watkins-Tanner invited all to attend the play *Bruised But Not Broken* being held at the Laney campus.

ADJOURNED: Time: 8:47 PM

*Tonight's Meeting was Adjourned in Memory of Laney College Custodian Gerry Banks*

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