

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – ANNUAL ORGANIZATIONAL AND REGULAR MEETING

Wednesday, July 13, 2011 • 11:00 a.m.
Educational Services Center • Board Room
770 Wilshire Boulevard • Los Angeles, California 90017

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 11:05 a.m. with Vice President Miguel Santiago presiding.

On roll call the following members were present: Mona Field, Tina Park, Nancy Pearlman, and Miguel Santiago. Absent: Kelly Candaele (arrived at 11:08 a.m.). Student Trustee Amber I. Barrero was present.

Chancellor Daniel J. LaVista was present.

Vice President Santiago invited his pastor, Father Alden Sison, to offer an invocation.

Father Sison offered the invocation.

(Trustee Candaele arrived at 11:08 a.m.)

OATH OF OFFICE

Chancellor LaVista administered the Oath of Office to Trustee-elect Miguel Santiago.

Vice President Santiago introduced Mr. John Chiang, California State Controller, and discussed Mr. Chiang's educational and political background.

Mr. Chiang administered the Oath of Office to Trustee-elect Scott J. Svonkin.

Mr. Chiang administered the Oath of Office to Trustee-elect Steve Veres.

Chancellor LaVista administered the Oath of Office to Trustee-elect Mona Field.

Vice President Santiago expressed his appreciation to his fellow Board members for their support during the three years that he has been on the Board. He discussed the challenges that will be faced by the Board and the LACCD during the next few years.

Trustees Pearlman and Park and Student Trustee Barrero welcomed Trustees Svonkin and Veres to the Board.

Trustees Veres and Svonkin indicated that they look forward to serving on the Board of Trustees.

Trustee Svonkin invited everyone to a community swearing-in ceremony for him and Trustee Veres to be held at East Los Angeles College (ELAC) on Sunday, July 24, 2011 at 2:00 p.m.

The following members of the Resource Table congratulated the newly elected and reelected Board members:

Mr. Frank Torres, Business Representative, SEIU Local 99, Mr. David Beaulieu, President, District Academic Senate; Ms. Joanne Waddell, President, Los Angeles College Faculty Guild; and Ms. Dorothy Bates, First Vice President, AFT College Staff Guild.

Chancellor LaVista discussed the importance of the Board members to support each other. He emphasized the importance of promoting student success.

RECESS TO RECEPTION

Motion by Trustee Veres, seconded by Trustee Park, to recess to the reception.

Student Trustee Advisory Vote: Aye (Barrero)
APPROVED: 7 Ayes

The annual organizational and regular meeting recessed to the reception at 11:40 a.m.

RECONVENE TO REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 1:01 p.m. with Vice President Miguel Santiago presiding.

On roll call the following members were present: Mona Field, Tina Park, Nancy Pearlman, Miguel Santiago, Scott Svonkin, and Steve Veres. Absent: Kelly Candaele (arrived at 1:05 p.m.). Student Trustee Amber I. Barrero was present.

REQUESTS TO ADDRESS THE BOARD OF TRUSTEES – CLOSED SESSION AGENDA MATTERS

Ms. Allison Jones addressed the Board regarding the Administrators Association's objection to the hiring of a new Workforce Dean at Los Angeles Harbor College (LAHC) using the District's "*bonafide offer process*." She distributed a copy of her remarks as well as Board Rules 10509, 10507, and 10407.C, which are referenced in her remarks.

(Trustee Candaele arrived at 1:05 p.m.)

Trustee Field requested that Chancellor LaVista have staff determine if Board Rules 10509 and 10507, which were written in 1977, can be appropriately updated.

Ms. Camille Goulet, General Counsel, stated that in accordance with The Ralph M. Brown Act, Mr. Kijana Foster, a permanent classified employee assigned to Los Angeles Valley College as a Custodian, has requested that he be allowed to speak at the public session of the Board of Trustees. Mr. Foster was present.

Mr. Michael Shanahan, Interim Senior Associate Vice Chancellor, Human Resources, explained what should occur with respect to the disciplinary case.

Ms. Goulet explained the process for dismissing a permanent classified employee.

Mr. Shanahan summarized the charges against Mr. Foster.

Mr. James Bradley, SEIU Local 99, addressed the Board on behalf of Mr. Foster.

Scheduled speaker Mr. Foster did not address the Board.

RECESS TO CLOSED SESSION

Motion by Trustee Field, seconded by Trustee Svonkin, to recess to Closed Session in accordance with The Ralph M. Brown Act, Government Code sections 54950 et seq., and the Education Code to discuss the matters on the posted Closed Session agenda pursuant to Government Code section 54954.5 (see Attachment A). During Closed Session, the Board will discuss an additional potential litigation matter, pursuant to Government Code section 54956.9(b).

APPROVED: 7 Ayes

The regular meeting recessed to Closed Session at 1:18 p.m.

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 3:50 p.m. with Vice President Miguel Santiago presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Tina Park, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Student Trustee Amber I. Barrero was present.

Chancellor Daniel J. LaVista was present.

Trustee Pearlman led the Pledge of Allegiance to the Flag.

ELECTION OF OFFICERS: PRESIDENT AND VICE PRESIDENT(S)

Vice President Santiago declared that nominations were open for the position of President of the Board of Trustees for 2011-2012. He stated that a second is not required under *Robert's Rules of Order*.

Trustee Svonkin nominated Trustee Santiago.

Mr. John Walsh addressed the Board in support of the nomination of Trustee Santiago for President of the Board.

Vice President Santiago relinquished the gavel to Second Vice President Pearlman.

There being no further nominations, Second Vice President Pearlman declared the nominations closed. She requested that the Trustees indicate their vote by a roll call.

*The following votes were recorded: Student Trustee Advisory Vote: Aye (Barrero)
7 Ayes (Candaele, Field, Park, Pearlman, Santiago, Svonkin, Veres)*

Second Vice President Pearlman relinquished the gavel to President-elect Santiago.

President Santiago declared that nominations were open for the position of First Vice President of the Board of Trustees for 2011-2012. He stated that a second is not required under *Robert's Rules of Order*.

Trustee Pearlman nominated herself.

Trustee Svonkin nominated Trustee Park.

Trustee Pearlman expressed her concern that the traditional rotation method for electing Board officers is no longer being followed. She requested that this method be brought back so that she would have the opportunity to serve as First Vice President.

There being no further nominations, President Santiago declared the nominations closed. He requested that the Trustees indicate their vote by a roll call.

*The following votes were recorded: Student Trustee Advisory Vote: Pearlman (Barrero)
Park: (Park, Santiago, Svonkin, Veres)
Pearlman (Candaele, Field, Pearlman)*

Trustee Park expressed her appreciation for the support of her colleagues and indicated that she looks forward to serving as First Vice President of the Board.

President Santiago indicated that the Board Rules require that a motion be entertained to elect a Second Vice President of the Board. He stated that this motion would require a second.

Motion by Trustee Veres, seconded by Trustee Svonkin, to elect a Second Vice President of the Board.

Student Trustee Advisory Vote: Aye (Barrero)
APPROVED: 7 Ayes

Trustee Svonkin nominated Trustee Pearlman.

Trustee Pearlman requested information with respect to the level of involvement that the Second Vice President is permitted to have in the Board consultation process.

Ms. Goulet indicated that she would provide this information.

There being no further nominations. President Santiago declared the nominations closed. He requested that the Trustees indicate their vote by a roll call.

The following votes were recorded: 7 Ayes (Candaele, Field, Park, Pearlman, Santiago, Svonkin, Veres)

President Santiago expressed his appreciation to his colleagues for their confidence in the newly elected officers. He discussed the importance of the Board members to work together to improve the quality of life for students and employees of the LACCD.

APPROVAL OF MINUTES

Motion by Trustee Field, seconded by Trustee Park, to approve the following minutes:

Regular Meeting and Closed Session – June 15, 2011
Special Meeting and Closed Session – June 27, 2011
Regular Meeting and Closed Session – June 29, 2011

Student Trustee Advisory Vote: Aye (Barrero)
APPROVED: 5 Ayes (Candaele, Field, Park, Pearlman, Santiago)
2 Abstentions (Svonkin, Veres)

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

Mr. David Beaulieu, President, District Academic Senate, reported from the Resource Table.

PUBLIC AGENDA REQUESTS (Category A)

Oral Presentations

President Santiago read the cautionary language for speakers and their personal responsibility for defamatory remarks.

On behalf of concerned faculty members of Los Angeles City College (LACC), Dr. Jayesh Bhakta expressed support for Dr. Merrill Eastcott, Dean, Academic Affairs, LACC, who has been placed on administrative leave. He distributed a copy of his remarks.

On behalf of the Van de Kamps Coalition, Ms. Miki Jackson addressed the Board regarding the LACCD bond program.

Mr. Alfredo Heredia addressed the Board regarding an investigation of alleged improprieties in the English/ESL Department at LACC.

Mr. Parke Blair addressed the Board regarding a proposal to implement, design, engineer, and install a workable renewable energy program for the LACCD utilizing funds from his company, GeoSource Foundation.

Mr. John Walsh addressed the Board regarding the internal investigation being conducted at LACC.

Mr. Roger Wolf addressed the Board in opposition to the removal of Dr. Eastcott as Dean of Academic Affairs at LACC.

Proposed Actions

None.

REQUESTS TO ADDRESS THE BOARD OF TRUSTEES – MULTIPLE AGENDA MATTERS

None.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

The following reports to the LACCD governing board, considered as a part as if fully set forth hereto and certified copies of which are on file in the Office of the Board of Trustees, were presented by the Board of Trustees and action taken as indicated.

Report on Actions Taken in Closed Session – July 13, 2011

President Santiago indicated that The Ralph M. Brown Act requires public session reporting of certain matters that were decided during Closed Session.

The Board decided to forego participation in litigation that is presently filed under seal. The vote was six in favor with Trustee Pearlman abstaining.

The Board took no further actions required to be reported.

Com. No. BT1. Elect/Select Trustee Representatives

Motion by Trustee Park, seconded by Trustee Field, that Trustee Svonkin be elected to serve as the Los Angeles Community College District's governing board voting representative to elect members to the Los Angeles County Committee on School District Organization (Education Code §35023/72403); and that Trustee Svonkin be selected to serve as the Los Angeles Community College District's governing board Annual Representative to the Los Angeles County School Trustees Association for 2011-2012.

Trustee Pearlman requested that Item B. Select Annual Representative to the Los Angeles County School Trustees Association (LACSTA) for 2011-2012 be separated for the vote.

There being no objection, Item B. was separated for the vote.

A. ELECT REPRESENTATIVE TO ELECT MEMBERS TO THE LOS ANGELES COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION – 2011-2012

Student Trustee Advisory Vote: Abstain (Barrero)
ADOPTED: 7 Ayes

B. SELECT ANNUAL REPRESENTATIVE TO THE LOS ANGELES COUNTY SCHOOL TRUSTEES ASSOCIATION (LACSTA) FOR 2011-2012

Trustee Svonkin withdrew his name as the LACCD's governing board Annual Representative to LACSTA for 2011-2012 and nominated Trustee Pearlman to serve in this capacity.

Trustee Park seconded the nomination.

Student Trustee Advisory Vote: Aye (Barrero)
ADOPTED: 7 Ayes

Com. No. BT2. Trustee Absence Ratification and Conference Attendance Authorizations

Motion by Trustee Field, seconded by Trustee Park, to adopt Com. No. BT2.

Student Trustee Advisory Vote: Aye (Barrero)
ADOPTED: 7 Ayes

Com. No. BT3. Resolution – District Classified Employees Retirement

Motion by Trustee Field, seconded by Trustee Svonkin, to adopt Com. No. BT3.

Dr. Adriana Barrera, Deputy Chancellor, noted the following correction:

- WHEREAS, The classified employees identified below have been employed with the Los Angeles Community College District for many years; and
- WHEREAS, The classified employees have contributed significantly toward providing the highest quality of services to our students and the public on behalf of the Los Angeles Community College District; now, therefore, be it
- RESOLVED, That the Personnel Commission and the Board of Trustees of the Los Angeles Community College District do hereby commend the employees for their contributions and extend best wishes in their retirement.

SUMMARY OF RETIRED CLASSIFIED EMPLOYEES
May 1, 2011 – June 30, 2011

LAST NAME	FIRST NAME	JOB CLASSIFICATION	YEARS OF SERVICE	LOCATION
1 Russey	James A.	Assistant Computer & Network Support Specialist Operations Manager	32	District
2 Rapp	Bonnie M.	Instructional Assistant, Language Arts	29	Pierce
3 Underwood	Angela L.	Senior Personnel Assistant	22	District
4 Hamlet-Licea	Carolyn M.	Administrative Analyst	20	Southwest
5 Ponce	Peter B.	Cashier	9	Valley

Student Trustee Advisory Vote: Aye (Barrero)
ADOPTED AS AMENDED: 7 Ayes

REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS

Comments from the Chancellor Regarding District Activities and Upcoming Issues

Chancellor LaVista congratulated the newly elected Board officers. He discussed various issues including the state budget, the bond construction program, the “*Achieving the Dream*” effort to improve student success, and leadership changes at the colleges.

Annual Report from the Joint Labor Management Benefits Committee

Chancellor LaVista introduced Dr. Susan Aminoff, Chair, Joint Labor Management Benefits Committee (JLMBC). He indicated that Dr. A. Susan Carleo, President, Los Angeles Valley College (LAVC), is serving as the management representative for the JLMBC.

Dr. Aminoff distributed a document entitled "Report to Board of Trustees." She discussed the document with respect to the CalPERS 2012 renewal and the estimated cost change for 2009, 2010, 2011, and 2012.

A question and answer session was conducted regarding the CalPERS Health Benefits Program.

CONSENT CALENDAR

Matters Requiring a Majority Vote

President Santiago entertained a motion to adopt the Consent Calendar on Matters Requiring a Majority Vote, with the exception of Com. No. FPD1. and Com. No. BSD1. Item J. Agreement Number 4500161497, which were separated for the vote, and with the limitation that the Student Trustee's vote shall not apply to HRD1., ISD2., PC1., and the Correspondence.

Motion by Trustee Svonkin, seconded by Trustee Park, to adopt the Consent Calendar on Matters Requiring a Majority Vote.

The Trustees discussed the following Consent Calendar Items:

Com. No. BF1. Budget Revisions and Appropriation Transfers

Com. No. BSD1. Ratifications for Business Services

With respect to Item J. Short-Term Agreements Prepared at Site Locations for Services, Rental & Maintenance of Equipment, and License & Maintenance of Software \$5,000 or Less Per year, Student Trustee Barrero requested that the following agreement be separated for the vote:

4500161497 West. Agreement with Dennis M. Martin to provide iPad and iPhone programming for faculty members during the period July 1, 2011 to September 30, 2011. Total cost: \$4,000.

There being no objection, Item J. Agreement Number 4500161497 was separated for the vote.

Com. No. BSD2. Business Services Routine Report

Com. No. FPD1. Facilities Planning and Development Routine Report

Mr. Thomas Hall, Interim Executive Director, Facilities Planning and Development, discussed the Resource Document for Com. No. FPD1. Facilities Planning and Development Report with respect to the various agreements and contracts.

Trustee Veres indicated that he has further questions and requested that Com. No. FPD1. be separated for the vote.

There being no objection, Com. No. FPD1. was separated for the vote.

Com. No. FPD2. Authorize Master Procurement Agreements

Com. No. HRD1. Personnel Services Routine Actions

Com. No. ISD1. Approval of Educational Programs and Courses

Com. No. ISD2. Approval of Student Travel

Com. No. PC1. Personnel Commission Action

Correspondence

Accept recommended disposition of Correspondence.

(Trustee Candaele left at 5:30 p.m.)

Student Trustee Advisory Vote: Aye (Barrero)

ADOPTED: 6 Ayes

Com. No. BSD1. Ratifications for Business Services

J. SHORT TERM AGREEMENTS PREPARED AT SITE LOCATIONS FOR SERVICES, RENTAL & MAINTENANCE OF EQUIPMENT, AND LICENSE & MAINTENANCE OF SOFTWARE \$5,000 OR LESS PER YEAR

4500161497 West. Agreement with Dennis M. Martin to provide iPad and iPhone programming for faculty members during the period July 1, 2011 to September 30, 2011. Total cost: \$4,000.

Motion by Trustee Field, seconded by Trustee Svonkin, to adopt Com. No. BSD1. Item J. Agreement Number 4500161497.

Student Trustee Advisory Vote: No (Barrero)

ADOPTED: 6 Ayes

Com. No. FPD1. Facilities Planning and Development Routine Report

Motion by Trustee Veres, seconded by Trustee Park, to adopt Com. No. FPD1.

A question and answer session was conducted regarding several items in Com. No. FPD1.

For the record, Trustee Svonkin requested that he be recorded as a "no" vote on the following items:

VI. RATIFY CHANGE ORDERS FOR CONSTRUCTION CONTRACTS GREATER THAN \$30,000 IN ORIGINAL COST ISSUED UNDER THE STANDARD "DESIGN-BID-BUILD" METHOD OF PROJECT DELIVERY

Action

Ratify the following Change Orders for additional construction services for the projects, colleges, and amounts shown:

PROJECT NAME & LOCATION and PROJECT NUMBER	CONTRACTOR NAME and CONTRACT NUMBER	ORIGINAL CONTRACT COST	CHANGE ORDER NO., COST, and CUMULATIVE PERCENT CHANGES	NEGOTIATED REDUCTION FROM CONTRACTOR DEMAND	PURPOSE
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North of Mall Pierce College 05P.6510.03, 05P.6507.03, 35P.5502.03, 35P.5505.03.02, 35P.5535.03.02, 35P.5535.03.07.	FTR International, Inc. No. 33103	\$23,338,000.	CO No. 2 \$320,266 3.32%	\$73,923	Unforeseen Condition: • A concrete slab was discovered under the foundation which required demolition in Phase I of the project. • Underground conduits were discovered that required additional utility trenching and concrete construction work.
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VII. RATIFY CHANGE ORDER FOR CONSTRUCTION CONTRACTS LESS THAN \$30,000 ISSUED UNDER THE STANDARD "DESIGN-BID-BUILD" METHOD OF PROJECT DELIVERY

PROJECT NAME & LOCATION and PROJECT NUMBER	CONTRACTOR NAME and CONTRACT NUMBER	ORIGINAL CONTRACT COST	CHANGE ORDER NO., COST, and <u>CUMULATIVE TOTAL COST OF ALL CHANGE ORDERS PERCENT CHANGES</u>	PURPOSE
Phase I Renovations - Fine Arts and Music Pierce College 05P.6516.03.	FTR International, Inc. No. 32807	\$23,000.	CO No. 1 \$24,041 \$24,041	Unforeseen Condition: • Upgrade existing circuit wiring capacity to accommodate dust collector equipment. College Request: • Install additional tack boards in the computer lab. Additional Requirements: • Per the Architect of Record revise the concrete pad at dust collector.

VIII. AUTHORIZE ACCEPTANCE OF COMPLETION OF CONSTRUCTION CONTRACTS

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C. Action

Authorize Acceptance of Completion of Contract No. 32807 with FTR International, Inc. to provide general construction – installation services for the Phase I Renovations - Fine Arts and Music project at Pierce College with a substantial completion date of February 4, 2011.

Background

This contract was authorized by the Board of Trustees on January 27, 2010 (Com. No. FPD1).

The total cost of this contract is \$47,041.

Funding and Development Phase

Funding is through Proposition A/AA and Measure J Bond proceeds. Phase I Renovation - Fine Arts and Music 05P.6516.03. Construction Phase.

Trustee Svonkin voted no on Com. No. FPD1, Roman Number VI, Contract No. 33103, Roman Numeral VII, Contract No. 32807, and Roman Numeral VIII, Item C, Contract No. 32807.
Student Trustee Advisory Vote: Aye (Barrero)
ADOPTED: 6 Ayes

Matters Requiring a Super Majority Vote

None.

RECOMMENDATIONS FROM THE CHANCELLOR

The following reports to the governing board of the Los Angeles Community College District, considered as a part as if fully set forth hereto and certified copies of which are on file in the Office of the Board of Trustees, were presented by Chancellor LaVista and action taken as indicated.

Com. No. CH1. Approve East Los Angeles College Mission Statement

Motion by Trustee Field, seconded by Trustee Park, to adopt Com. No. CH1.

Student Trustee Advisory Vote: Aye (Barrero)
ADOPTED: 6 Ayes

Com. No. FPD4. Ratify an Emergency Resolution to Repair Damage to the Student Services Building at Los Angeles Valley College Caused by Heavy Rain and Flooding

Com. No. FPD5. Ratify an Emergency Resolution for Abatement of Potentially Hazardous Materials Discovered at Building "A" of Los Angeles Trade-Technical College

Motion by Trustee Field, seconded by Trustee Park, to adopt Com. Nos. FPD4. and FPD5.

Student Trustee Advisory Vote: Aye (Barrero)
ADOPTED: 6 Ayes

NOTICE REPORTS AND INFORMATIVES

Com. No. BF/A. [Notice] Amend Board Rules 7503.10 Standard Mileage Rates and 10711. Transportation Cost

Noticed by Chancellor LaVista.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

There was discussion regarding scheduling a Board Retreat in the near future in order to address the Board members' concerns.

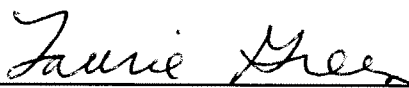
ADJOURNMENT

Motion by Trustee Field, seconded by Trustee Svonkin, to adjourn.


Student Trustee Advisory Vote: Aye (Barrero)
APPROVED: 6 Ayes

The regular meeting adjourned at 6:10 p.m.

DANIEL J. LAVISTA
Chancellor and Secretary of the Board of Trustees

By: 
Laurie Green
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:


Miguel Santiago
President of the Board

Date September 7, 2011



Board of Trustees

LOS ANGELES COMMUNITY COLLEGE DISTRICT
770 Wilshire Boulevard, Los Angeles, CA 90017 213/891-2000

AGENDA

ATTACHMENT A

CLOSED SESSION

Wednesday, July 13, 2011
1:00 p.m.

**Educational Services Center
770 Wilshire Boulevard
Los Angeles, CA 90017**

- I. **Public Employment**
(pursuant to Government Code section 54957)
 - A. Position: President, East Los Angeles College

- II. **Conference with Labor Negotiator**
(pursuant to Government Code section 54957.6)
 - A. District Negotiators: Adriana D. Barrera
Employee Units: All Units
All Unrepresented Employees
 - B. District Negotiators: Ken Takeda
Employee Unit: Building and Trades
 - C. District Negotiators: Sue Carleo
Employee Unit: Academic Administrators
 - D. District Negotiators: Mary Gallagher
Employee Unit: Clerical/Technical
 - E. District Negotiators: Michael Shanahan
Employee Unit: Supervisory

F. District Negotiators: Michael Shanahan

Employee Unit: Local 99

G. District Negotiators: Rose Marie Joyce

Employee Unit: Faculty

III. Public Employee Discipline/Dismissal/Release/Charges/Complaints
(pursuant to Government Code section 54957)

IV. Conference with Legal Counsel - Existing Litigation
(pursuant to Government Code section 54956.9 (a))

- A. *Powell v. LACCD*
- B. *Sornborger v. LACCD*
- C. *LACCD v. Grupo Glemka*

V. Conference with Legal Counsel - Anticipated Litigation
(pursuant to Government Code section 54956.9 (b))

- A. Potential Litigation – 1 matter
- B. Claim for additional construction work at West Los Angeles College

VI. Discussion with Real Property Negotiator as may be announced prior to closed session (pursuant to Government Code section 54956.8)

VII. Other litigation matters as may be announced prior to the closed session
(pursuant to Government Code section 54956.9)

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