

# LOS ANGELES COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### MINUTES – REGULAR MEETING

Wednesday, November 7, 2012 • 1:00 p.m.  
Los Angeles Pierce College  
Student Community Center/Great Hall – Building 1900  
6201 Winnetka Avenue • Woodland Hills, California 91371

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 1:07 p.m. with President Steve Veres presiding.

For the record, President Veres noted that all of the Board members were present with the exception of Trustee Miguel Santiago (arrived at 1:15 p.m.) and Trustee Nancy Pearlman (arrived at 1:22 p.m.).

Chancellor Daniel J. LaVista was present.

#### RECESS TO COMMITTEE OF THE WHOLE

There being no objection, the regular meeting recessed to the Committee of the Whole at 1:08 p.m.

President Veres relinquished the gavel to First Vice President Park.

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

#### Public Speakers

None.

#### Presentation on the Accountability Reporting for Community Colleges (ARCC), 2012

Trustee Park deferred to Chancellor LaVista.

Chancellor LaVista introduced Mr. Maury Pearl, Associate Vice Chancellor, Institutional Effectiveness, who in turn introduced Dr. Sarah Master, Senior Research Analyst.

A document entitled "Focus on Results Accountability Reporting for the California Community Colleges" was distributed.

(Trustee Santiago arrived at 1:15 p.m.)

Mr. Pearl gave a PowerPoint presentation and discussed the document with respect to the background to the ARCC, the structure of the LACCD ARCC presentation, and considerations in reviewing the ARCC.

(Trustee Pearlman arrived at 1:22 p.m.)

Dr. Master continued the PowerPoint presentation and discussed the document with respect to the first five ARCC college level indicators.

Mr. Pearl continued the PowerPoint presentation and discussed the ARCC college level indicators, conclusions, the ARCC 2012 summary, and ARCC indicators for each of the nine colleges.

Trustee Park facilitated a question and answer session regarding the ARCC.

#### Other Business

None.

#### Adjournment

Motion by Trustee Svonkin, seconded by Trustee Veres, to adjourn the Committee of the Whole.

Without objection, so ordered.

The Committee of the Whole adjourned at 1:56 p.m.

First Vice President Park relinquished the gavel to President Veres.

#### **RECONVENE REGULAR MEETING**

The regular meeting of the Board of Trustees of the LACCD reconvened at 2:05 p.m. with President Steve Veres presiding.

For the record, President Veres noted that all of the Board members were present with the exception of Trustee Miguel Santiago (arrived at 2:08 p.m.).

Chancellor Daniel J. LaVista was present.

For the record, President Veres noted that the Closed Session would be conducted towards the end of the regular meeting. He indicated that the Consent Calendar items being discussed during the Closed Session would be acted upon following the Closed Session. He stated that due to the results of the November 6, 2012 election, Com. No. HRD4. [District's Initial Proposal to the Exclusive Representatives of AFT College Guild, Local 1521; Los Angeles/Orange Counties Building and Construction Trades Council; Los Angeles City and County Schools Employees Union, Local 99; California Teamsters Public, Professional and Medical Employees Union, Local 911; and Supervisory Employees Union, Local 721, and AFT College Staff Guild, Local 1521A] was withdrawn.

(Trustee Santiago arrived at 2:08 p.m.)

Trustee Park led the Pledge of Allegiance to the Flag.

#### **WELCOMING REMARKS BY KATHLEEN BURKE-KELLY, PRESIDENT, LOS ANGELES PIERCE COLLEGE**

President Veres introduced Dr. Burke-Kelly.

Dr. Burke-Kelly welcomed everyone to Pierce College. She announced that the birth of two heifers recently took place on the campus—one on November 5, 2012 and the other on November 6, 2012. She also announced the rededication of the upgraded weather station, which is one of the nation's longest running cooperative weather stations operating in the same location. She reported that students continue to excel in athletics at LAPC, especially in the women's sports. She announced that in its first year of competition, the Women's Water Polo Team captured the Western States Conference Tournament that was held during the weekend of November 10, 2012. She added that the Women's Volleyball Team is undefeated for the third straight year with a record of 24 wins and zero losses.

Dr. Burke-Kelly acknowledged the following individuals from LAPC:

Mr. Shane Mooney, ASO President; Mr. Tom Rosdahl, Academic Senate President; Mr. Donald Sparks, AFT Chapter President; Mr. Henry Chang, AFT Staff Chapter Chair; Mr. Dean Kinzel, Representative, Building and Trades; Ms. Sharon Baker, Supervisors Representative; Mr. James Bradley, Representative, SEIU Local 99; Mr. Marco De la Garza, Representative, Teamsters Local 911; Ms. Anna Davies, Vice President, Academic Affairs; Dr. Alma Johnson-Hawkins, Vice President, Student Services; and Mr. Rolf Schleicher, Vice President, Administrative Services.

Dr. Burke-Kelly expressed her appreciation to Mr. Larry Kraus, Associate Vice President, Administrative Services; Mr. Mark Henderson, Information Technology Manager; and Mr. Paul Nieman, Facilities Manager, their respective staffs, and Ms. Cheryl Smith Executive Assistant to the President, for their dedication in preparing the College for the Board of Trustees meeting.

(Student Trustee Campos left at 2:13 p.m.)

### **APPROVAL OF MINUTES**

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

Regular Meeting and Closed Session – October 3, 2012  
Regular Meeting and Closed Session – October 17, 2012

*Student Trustee Advisory Vote: Absent (Campos)*  
*APPROVED: 7 Ayes*

(Student Trustee Campos returned at 2:14 p.m.)

### **REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE**

Mr. Donald Gauthier, President, District Academic Senate, reported that faculty members are looking forward to not worrying about whether the District will have money to carry on its programs.

Ms. Joanne Waddell, President, Los Angeles College Faculty Guild, expressed her appreciation for the Districtwide effort to ensure the promising future of California, the nation, and the LACCD students.

Ms. Velma Butler, President, AFT College Staff Guild, expressed her hope that the District would continue to review the budget in an effort to find and resolve the budget issues.

\* \* \*

There being no objection, President Veres took out of order Announcements and Indications of Future Proposed Actions.

### **ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS**

Dr. Roland J. Chapdelaine, President, Los Angeles Trade-Technical College (LATTC), announced that in the Southern California Games, the Men's Cross Country Team placed fourth and the Women's Cross Country Team placed sixth and this qualified both teams for the state championships. He further announced that for the sixth consecutive semester, the LATTC Nursing students who took the National Council Licensure Examination (NCLEX), had a 100 percent passing rate.

Ms. Renee Martinez, Interim President, Los Angeles City College (LACC), announced that the ribbon cutting ceremony for the new Student Union would be held on November 13, 2012. She announced that the LACC Nursing students also had a 100 percent passing rate in the NCLEX. She reported that the LACC Collegian won the following awards at the Associated Collegiate Press (ACP) National College Media Convention that was held in Chicago from October 31 to November 4, 2012:

Newspaper Pacemaker Award for the Collegian  
Best of Show 1<sup>st</sup> place for Two-year Broadsheets for the Collegian  
Best of Show 7<sup>th</sup> place for Feature Magazines for Collegian Times  
Honorable Mention for Brochure/Rate Card Advertising Designs for the Collegian Rate Card

Ms. Martinez announced that the Los Angeles Press Club awarded \$2,400 in scholarships to the LACC students to defray the hotel costs during the convention.

Dr. Jack E. Daniels III, President, Los Angeles Southwest College (LASC), announced that the College recently completed its Board of Registered Nursing (BRN) accreditation review and that no recommendations were made by the BRN.

Dr. Monte Perez, President, Los Angeles Mission College (LAMC), announced that the College conducted a Veterans Day ceremony on Tuesday, November 6, 2012 at which the keynote speech was delivered by Mr. Nestor Escobar, Corporal, United States Marine Corps and two-time Purple Heart recipient.

Mr. Marvin Martinez, President, Los Angeles Harbor College (LAHC), announced that the grand opening and dedication of the Warren T. Furutani Harbor YouthSource Center would be held on Thursday, November 8, 2012. He indicated that The Honorable Antonio Villaraigosa, Mayor, City of Los Angeles, would be in attendance at this event.

Dr. A. Susan Carleo, President, Los Angeles Valley College (LAVC), announced that on November 27, 2012 at 11 a.m., the College would begin hosting a new exhibit in the special "Culture of Peace" Series from the Soka Gakkai International-USA Buddhist Association (SGI-USA). She indicated that this exhibit is entitled "Children Are the Future" and would be on display in the LAVC Library & Academic Resource Center. She indicated that the SGI-USA is donating funds for a scholarship on peace and will select the students to receive this scholarship next year.

\* \* \*

## **PUBLIC AGENDA REQUESTS**

### Oral Presentations

None.

### Proposed Actions

None.

## **REQUESTS TO ADDRESS THE BOARD OF TRUSTEES – MULTIPLE AGENDA MATTERS**

None.

## **REPORTS AND RECOMMENDATIONS FROM THE BOARD**

### Reports of Standing and Special Committees

Trustee Svonkin reported on the morning's Finance and Audit Committee meeting.

Student Trustee Campos reported on the Student Affairs Committee meeting of October 26, 2012. He commended Mr. Joseph Tucker, ASO President, LATTC, and Senator, Student Senate for California Community Colleges (SSCCC), for his efforts towards the passage of Proposition 30.

The following action items, considered as a part as if fully set forth hereto and certified copies of which will be on file in the Office of the Board of Trustees, were presented by the Board of Trustees and action taken as indicated.

Com. No. BT1. Resolution – District Classified Employees Retirement

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. BT1. as follows:

- 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  
September 1, 2012 – September 30, 2012

LAST NAME	FIRST NAME	JOB CLASSIFICATION	YEARS OF SERVICE	LOCATION
1 Vallo	Belinda	Senior Accountant	32	District
2 Mayer	Anne	Admissions & Records Assistant	19	East
3 Michaelson	Vicki	Secretary	15	Pierce

*Student Trustee Advisory Vote: Aye (Campos)*  
*ADOPTED: 7 Ayes*

Com. No. BT2. Naming of Warren T. Furutani Harbor YouthSource Center

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. BT2. as follows:

The following resolution is sponsored by Trustees Veres, Santiago, and Candaele:

- WHEREAS, Warren T. Furutani has been a tireless leader on behalf of youth and adult learners; and
- WHEREAS, Mr. Furutani began his 40-year career as a student activist; and
- WHEREAS, Mr. Furutani sought elected office as a vehicle to create change in the K-12 system; and
- WHEREAS, Mr. Furutani was elected as a member of the Los Angeles Unified School District Board of Education in 1987 and served as its President beginning in 1991; and
- WHEREAS, In continuing his dedication to education, Mr. Furutani was elected as a member of the Board of Trustees of the Los Angeles Community College District (LACCD) serving from 1999 to 2008; and
- WHEREAS, In 2002, Mr. Furutani was elected as President of the LACCD Board of Trustees; and
- WHEREAS, Mr. Furutani was elected to the California State Assembly in February of 2008; and
- WHEREAS, As a member of the California State Assembly, Mr. Furutani established the Community College Caucus; and
- WHEREAS, Assemblyman Furutani has served as a member of the Higher Education Master Plan Review Committee; and

- WHEREAS, Assemblyman Furutani has served as Chair of the Selection Committee on Career Technical Education and Workforce Development; and
- WHEREAS, Assemblyman Furutani has continued to advocate on behalf of the students of the LACCD; and
- WHEREAS, Los Angeles Harbor College has received funding from the City of Los Angeles through the Workforce Investment Act to establish a YouthSource Center; and
- WHEREAS, The Harbor YouthSource Center will serve youth ages 14-21 and guide them in completing their high school education and provide them with college and career pathways; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby recognizes Assemblyman Furutani for his leadership and advocacy on behalf of young people seeking a better life through education; and be it further
- RESOLVED, That the Harbor YouthSource Center to be located in the College's Student Services Administration Building be named in his honor and be identified as the Warren T. Furutani Harbor YouthSource Center.

For the record, President Veres reported that the Board members would officially pay their respects to Mr. Furutani at the dedication ceremony to be held on Thursday, November 8, 2012 at LAHC.

*Student Trustee Advisory Vote: Aye (Campos)*  
*ADOPTED: 7 Ayes*

\* \* \*

There being no objection, President Veres took out of order Com. No. HRD3. Approval of Agreement Between the Los Angeles Community College District and the AFT College Staff Guild, Local 1521A.

## **CONSENT CALENDAR**

### **Matters Requiring a Majority Vote**

Com. No. HRD3. Approval of Agreement Between the Los Angeles Community College District and the AFT College Staff Guild, Local 1521A

Motion by Trustee Svonkin, seconded by Trustee Park, to adopt Com. No. HRD3.

President Veres indicated that the Student Trustee does not have a vote on this item.

*ADOPTED: 7 Ayes*

Ms. Butler indicated that the AFT College Staff Guild is hoping to work with Chancellor LaVista in an effort to move the contract in a more positive arena with respect to shared governance issues. She introduced the following members of the AFT College Staff Guild Negotiating Team:

Mr. Michael Romo, Co-Chair, District Office; Ms. Pamela Atkinson, LACC; Mr. Jose Mungaray, East Los Angeles College (ELAC); Mr. Kenneth Roberts, LAHC; Ms. Dorothy Mundt, LAMC; Mr. Greg Whaling, LAPC; Ms. Butler, representing LASC; Mr. Donald Santojanni, LATTC; Ms. Dorothy Bates, LAVC; Ms. Sheila Jeter-Williams, West Los Angeles College (WLAC); and Ms. Sandra Lepore, AFT Executive Secretary.

Dr. Mary Gallagher, Vice President, Administrative Services, LATTC, expressed her appreciation to the members of the AFT College Staff Guild Negotiating Team for their efforts. She introduced the following members of the Management Team:

Mr. Marvin Martinez, Co-Chair; Mr. Vinh Nguyen, Director of Budget; Ms. Alma Johnson-Hawkins, Vice President, Student Services, LAPC; Mr. Jorge Mata, Chief Information Officer; and Ms. Lillian Johnson, Administrative Secretary, Administrative Services, LATTC.

A signing ceremony was conducted.

\* \* \*

Com. No. BT3. Absence—Hardship Ratification

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

Without objection, so ordered.

*Student Trustee Advisory Vote: Aye (Campos)*

*ADOPTED: 7 Ayes*

**REPORTS FROM THE CHANCELLOR**

Comments from the Chancellor Regarding District Activities and Upcoming Issues

Presentation on Proposition 30 Results: Impact on the LACCD Budget and Next Steps

A document entitled "Chancellor's Report" was distributed.

Chancellor LaVista gave a PowerPoint presentation and discussed the document with respect to his thoughts on the November 6, 2012 election results; the national scene over the next four years; the impact of Proposition 30's passage; several necessary plans for fiscal year 2012-2013; Los Angeles Community College District: Our Mission Renewed; and "gratitude to all." He expressed his appreciation to the LACCD labor leaders and students for their efforts that led to the passage of Proposition 30.

Presentation by Pierce College

Dr. Burke-Kelly reported that the LAPC Student Success Committee reported that during the 2012 DREAM Conference in Dallas, Ms. Joanna Zimring Towne, Counselor, and Career Center Director, LAPC, attended a breakout session entitled "Improve Your Campus with Zero Week." Following the conference, Ms. Zimring Towne suggested conducting student orientation days as one of the elements in the "Achieving the Dream" strategies. According to Dr. Burke-Kelly, the LAPC Student Success Committee planned what are now known as "GO Days," which stands for Get Oriented, Get Organized, and Get On Board. She introduced Ms. Zimring Towne.

A document entitled "Pierce College GO Days Schedule" was distributed.

Ms. Zimring Towne reported that the GO Days were held on August 21 and 22, 2012 prior to the start of the Fall semester. She indicated that more than 700 students attended. She discussed the document with respect to the data collected from the attendees and the results of a student satisfaction survey. She indicated that GO Days are expected to continue in future semesters.

A question and answer session regarding GO Days followed this presentation.

(Trustee Field left at 3:20 p.m.)

**CONSENT CALENDAR**

**Matters Requiring a Majority Vote**

President Veres entertained a motion to adopt the Consent Calendar on Matters Requiring a Majority Vote as amended. He requested that Board members identify items about which they had questions.

Discussion was requested regarding Com. No. BSD2. Roman Numeral II. Items A and B, Com. No. BSD2. Roman Numeral VI., Com. No. FPD1. Roman Numeral II. A. (~~withdrawn~~), Roman Numeral III. Item D., and Com. No. FPD1. Roman Numeral VIII.

President Veres indicated that the Student Trustee's vote would not apply to HRD1., HRD2., HRD3., ISD3., PC1., and the Correspondence.

Motion by Trustee Santiago, seconded by Trustee Park, to adopt the Consent Calendar on Matters Requiring a Majority Vote as amended with the exception of Com. No. BSD2. Roman Numeral II. Items A and B, Com. No. BSD2. Roman Numeral VI., Com. No. FPD1. Roman Numeral III. Item D., and Com. No. FPD1. Roman Numeral VIII., which were separated for the vote.

Com. No. BF1. Budget Revisions and Appropriation Transfers

Com. No. BF2. 2012-2013 Categorical Program Flexibility

Com. No. BSD1. Ratifications for Business Services

Com. No. BSD2. Business Services Routine Report (with the exception of Roman Numeral II. Authorize Professional Service Agreement Items A. and B. and Roman Numeral VI. Ratify Amendment of Grant Agreement)

Com. No. FPD1. Facilities Planning and Development Routine Report (with the exception of Roman Numeral III. Authorize Amendment to Professional Service Agreements Item D. and Roman Numeral VIII. Ratify Change Orders for Construction Contracts Greater than \$30,000 in Original Cost Issued under the Standard "Design-Bid-Build" Method of Project Delivery)

President Veres noted that the following items were withdrawn:

II. AUTHORIZE PROFESSIONAL SERVICE AGREEMENTS

~~A. Authorize an agreement with DLR Group, Inc. of California to provide Design Services for the Cesar Chavez Administration Building Modernization project at Los Angeles City College.~~

Withdrawn.

III. AUTHORIZE AMENDMENT TO PROFESSIONAL SERVICE AGREEMENTS

...

~~J. Authorize Amendment No. 6 to Agreement No. 32639 with Cannon/Parkin, Inc. (formerly known as OWP/P Architects) to provide additional design services for the Student Services Activities Center (SSAC) Bookstore at Los Angeles Southwest College.~~

Withdrawn.

RESOURCE DOCUMENT

...



## II. AUTHORIZE PROFESSIONAL SERVICE AGREEMENTS

### A. Action

~~Authorize an agreement with DLR Group, Inc. of California to provide Design Services for the Cesar Chavez Administration Building Modernization project at Los Angeles City College from November 8, 2012 through November 7, 2017 at a cost not to exceed \$1,471,380 inclusive of eligible reimbursable expenses.~~

### Background

~~DLR Group, Inc. of California has been selected through a competitive Request for Proposal process that was advertised from July 31, 2012 to August 21, 2012. The purpose of this Agreement is to obtain architectural and engineering services for the Cesar Chavez Administration Building Modernization project at Los Angeles City College.~~

~~16 proposals were received. Six were determined to be responsive and were then evaluated by the Cesar Chavez Administration Building Modernization Selection Committee. This Committee is composed of Vice President of Student Services, Vice President of Academic Affairs, Director of Facilities, Chair of Business Administration Department, and CPM Design Manager. As a result of this comprehensive review and selection process, DLR Group, Inc. of California is recommended for award of this Agreement. This agreement has been considered through the participatory governance process.~~

### Award History

~~This agreement represents the thirty-fourth awarded to this company through the Bond Program and a cumulative original award total of \$29,045,618. Other projects include the Campus Wide Infrastructure planning services project at West Los Angeles City College and the E3 & E5 (Multi-Media) Replacement Building project at East Los Angeles College.~~

### Funding and Development Phase

~~Funding is through Measure J Bond proceeds. Cesar Chavez Admin Building Modernization 31C.5106.03. Design Phase.~~

Withdrawn.

## III. AUTHORIZE AMENDMENT TO PROFESSIONAL SERVICE AGREEMENTS

### J. Action

~~Authorize Amendment No. 6 to Agreement No. 32639 with Cannon/Parkin, Inc. (formerly known as OWP/P Architects) to provide additional design services for the Student Services Activities Center (SSAC) Bookstore at Los Angeles Southwest College from November 8, 2012 through September 22, 2014 at a cost not to exceed \$32,000 inclusive of eligible reimbursable expenses.~~

~~Inclusive of this proposed amendment, the total amount of this agreement approved by the Board of Trustees is \$307,000.~~

## Background

~~This agreement was authorized by the Board of Trustees on September 23, 2009 (Com. No. FPD1) with Cannon/Parkin, Inc. to serve as the Architect of Record for this project that is located on the west side of the college campus. On October 3, 2012, the Board of Trustees authorized a no cost time extension to this agreement through September 30, 2013. Subsequently, Cannon/Parkin submitted a proposal responding to the college's request to include Post Indicator Valves for the project's fire-life safety system which requires design revisions that must be submitted for review and approval by the Division of the State Architect. This proposed amendment is for the additional scope of work at the cost shown above. This agreement has been considered through the participatory governance process.~~

## Funding and Development Phase

~~Funding is through Proposition AA Bond proceeds. SSAC Bookstore 16S.7622.02.  
Design Phase.~~

Withdrawn.

President Veres noted the following revision:

### RESOURCE DOCUMENT

...

#### II. AUTHORIZE PROFESSIONAL SERVICE AGREEMENTS

...

##### G. Action

Authorize an agreement on a Task Order basis with each of the firms listed below to provide continued Inspector of Record (IOR) services for specific Bond and non-Bond projects as shown from November 29, 2012 through November 28, 2014 at a cost not to exceed ~~\$300,000~~ **\$600,000** per firm inclusive of eligible reimbursable expenses:

...

Com. No. FPD2. Authorize Master Procurement Agreements

Com. No. FPD3. Adopt Resolution Authorizing Implementation of Design-Build System of Project Delivery

Com. No. HRD1. Personnel Services Routine Actions

Com. No. HRD2. Establishment of a New Classification

Com. No. HRD3. Approval of Agreement Between the Los Angeles Community College District and the AFT College Staff Guild, Local 1521A

~~Com. No. HRD4. District's Initial Proposal to the Exclusive Representatives of AFT College Guild, Local 1521; Los Angeles/Orange Counties Building and Construction Trades Council; Los Angeles City and County Schools Employees Union, Local 99; California Teamsters Public, Professional and Medical Employees Union, Local 911; and Supervisory Employees Union, Local 721, and AFT College Staff Guild, Local 1521A~~

Withdrawn.

Com. No. ISD1. Student Discipline – Expulsion

**Com. No. ISD1. was moved to the Consent Calendar following the Closed Session.**

Com. No. ISD2. Approval of Educational Programs and Courses

Com. No. ISD3. Ratification of Student Travel

Com. No. PC1. Personnel Commission Action

Correspondence

The Student Trustee's vote did not apply to HRD1., HRD2., HRD3., ISD3., PC1., and the Correspondence.

*Student Trustee Advisory Vote: Aye (Campos)  
ADOPTED AS AMENDED: 6 Ayes Absent: Trustee Field*

Com. No. FPD1. Facilities Planning and Development Routine Report Roman Numeral III. Authorize Amendment to Professional Service Agreements Item D.

Trustee Pearlman requested clarification regarding the need for a revised Subsequent Environmental Impact Report (SEIR) for the Firestone Educational Services Center project at ELAC.

Mr. James D. O'Reilly, Executive Director, Facilities Planning and Development, explained the need for the revised SEIR.

(Trustee Field returned at 3:25 p.m.)

Com. No. FPD1. Facilities Planning and Development Routine Report Roman Numeral II. Authorize Professional Service Agreements Item A. (Withdrawn)

As it relates to the Cesar Chavez – Administration Building Modernization Project at LACC, Trustee Pearlman indicated that this project would have been closed out without certification. She expressed her concern that other projects might have been closed out without certification and that Board members could be held personally liable when this happens.

Mr. O'Reilly explained the certification process.

Trustee Pearlman requested a list of the buildings that were closed out without certification.

Mr. O'Reilly indicated that he would provide this information.

Com. No. BSD2. Business Services Routine Report Roman Numeral II. Authorize Professional Service Agreement Items A. and B.

President Veres noted the following revisions:

II. AUTHORIZE PROFESSIONAL SERVICE AGREEMENT

- A. Stradling Yocca Carlson & Rauth as bond counsel, for fees of .045% of par with a minimum fee of \$50,000 per issuance, and up to \$5,000 of expenses per issuance. Other services shall be provided at an hourly rate not to exceed \$350 per hour, plus expenses as may be authorized in accordance with District policy.

- B. Luna & Glushon/ and Hawkins Delafield & Wood as disclosure counsel, for fees not to exceed \$30,000 per issuance, inclusive of expenses. Other services shall be provided at an hourly rate not to exceed \$510 for Luna & Glushon and not to exceed \$560 for Hawkins Delafield & Wood, plus expenses as may be authorized in accordance with District policy.

**Both All three** contracts shall be for the period from November 8, 2012 through November 7, 2014, inclusive, with the option for the District to extend for two one-year terms.

With respect to authorizing agreements for attorney services for the building program, Trustee Svonkin inquired if the use of an outside disclosure counsel would have a positive effect on the building program.

Ms. Camille Goulet, General Counsel, responded in the affirmative.

Com. No. BSD2. Business Services Routine Report Roman Numeral VI. Ratify Amendment of Grant Agreement

Trustee Svonkin inquired if the District is assuming liability by being involved in a transaction in which it has no direct interest.

Ms. Goulet responded that the liability is with the people who direct the work.

Com. No. FPD1. Facilities Planning and Development Routine Report Roman Numeral VIII. Ratify Change Orders for Construction Contracts Greater than \$30,000 in Original Cost Issued under the Standard "Design-Bid-Build" Method of Project Delivery

Trustee Svonkin requested clarification regarding the cumulative percent change figures.

Mr. O'Reilly explained these figures.

President Veres entertained a motion to adopt the following items as amended:

Com. No. BSD2. Business Services Routine Report Roman Numeral II. Authorize Professional Service Agreement Items A. and B. and Roman Numeral VI. Ratify Amendment of Grant Agreement

Com. No. FPD1. Facilities Planning and Development Routine Report Roman Numeral III. Authorize Amendment to Professional Service Agreements Item D. and Roman Numeral VIII. Ratify Change Orders for Construction Contracts Greater than \$30,000 in Original Cost Issued under the Standard "Design-Bid-Build" Method of Project Delivery

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt the aforementioned items as amended.

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

**Matters Requiring a Super Majority Vote**

None.

**RECOMMENDATIONS FROM THE CHANCELLOR**

The following action items, considered as a part as if fully set forth hereto and certified copies of which will be on file in the Office of the Board of Trustees, were presented by Chancellor LaVista and action taken as indicated.

Com. No. CH1. Appointment to the District Citizens' Oversight Committee for Propositions A/AA and Measure J Bond Programs

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

*Student Trustee Advisory Vote: Aye (Campos)*  
*ADOPTED: 7 Ayes*

Com. No. CH2. Resolution – Reappointment of Personnel Commissioner

Motion by Trustee Field, seconded by Trustee Veres, to adopt Com. No. CH2.

There was discussion regarding the Personnel Commissioner appointment process.

*ADOPTED: 7 Ayes*

Com. No. CH3. Amend Board Rule 4006. Procedures for Retaining Legal Services

Motion by Trustee Svonkin, seconded by Trustee Park, to adopt Com. No. CH3.

*Student Trustee Advisory Vote: Aye (Campos)*  
*ADOPTED: 7 Ayes*

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

\* \* \*

There being no objection, Mr. Ali El Krim, who signed up under Public Agenda Requests – Oral Presentations, was permitted to address the Board at this time.

Mr. El Krim addressed the Board regarding the removal of one of the Librarians at LASC and the elimination of the Library's evening and weekend hours. He distributed a petition signed by LASC students requesting that the Library hours be extended.

\* \* \*

President Veres stated that in accordance with The Ralph M. Brown Act, Mr. Horacio Francisco Bracey, a permanent classified employee assigned to the Los Angeles Trade-Technical College as a Custodian, had requested to speak at the public session of the Board of Trustees. Mr. Bracey was present.

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

Ms. Camille Goulet, General Counsel, explained the process for suspending a permanent classified employee.

Mr. Shanahan summarized the charges against Mr. Bracey.

Mr. Bracey addressed the Board regarding the charges against him.

Mr. Michael Haberberger, Project Director, SEIU Local 99, addressed the Board on behalf of Mr. Bracey.

For the record, President Veres stated that the procedure for Mr. Keon S. Hamilton, a permanent classified employee assigned to Los Angeles Southwest College as a Custodian, is the same as indicated for Mr. Bracey.

Mr. Shanahan summarized the charges against Mr. Hamilton.

Mr. Hamilton addressed the Board regarding the charges against him.

Mr. Haberberger addressed the Board on behalf of Mr. Hamilton. He requested that the recommended 15-day suspension be reduced.

### **RECESS TO CLOSED SESSION**

There being no objection, the regular meeting recessed 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).

The regular meeting recessed to Closed Session at 4:12 p.m.

(Trustee Park left at 4:15 p.m.)

### **RECONVENE REGULAR MEETING**

The regular meeting of the Board of Trustees of the LACCD reconvened at 5:43 p.m. with President Steve Veres presiding.

For the record, President Veres noted that all of the Board members were present with the exception of Trustee Park.

Chancellor Daniel J. LaVista was present.

### **Report on Actions Taken in Closed Session – November 7, 2012**

President Veres indicated that the Ralph M. Brown Act requires that certain matters decided in Closed Session be reported during the public session that follows.

With regard to Eastcott v. LACCD, the Board authorized a settlement agreement for waivers of respective rights and a commitment for retirement. A copy of the settlement may be obtained from the Office of General Counsel. The vote was six in favor with Trustee Park absent.

With regard to Salazar v. LACCD, the Board authorized a settlement agreement for a waiver and promise not to seek reemployment in exchange for \$75,000. A copy of the settlement may be obtained from the Office of General Counsel. The vote was five in favor with Trustee Svonkin voting no and Trustee Park absent.

The Board took no further actions required to be reported.

### **CONSENT CALENDAR**

#### **Matters Requiring a Majority Vote**

President Veres indicated that the Student Trustee would not vote on Com. Nos. HRD5. and ISD1.

#### **Com. No. HRD5. Employment Actions Regarding Classified Employees Item A.**

Motion by Trustee Field, seconded by Trustee Svonkin, to adopt Com. No. HRD5. Item A. The three (3) days suspension of employee (EN778580) assigned to Los Angeles Trade-Technical College as a permanent Custodian.

*ADOPTED: 5 Ayes (Candaele, Field, Santiago, Svonkin, Veres) Absent: Trustee Park  
1 No (Pearlman)*

#### **Com. No. HRD5. Employment Actions Regarding Classified Employees Item B.**

Motion by Trustee Santiago, seconded by Trustee Field, to adopt Com. No. HRD5. Item B. as amended as follows:

B. The ~~fifteen (15)~~ thirteen (13) day suspension of employee (810016) assigned to Los Angeles Southwest College as a permanent Custodian is based on the following causes:

....

ADOPTED: 6 Ayes Absent: Trustee Park

**Com. No. ISD1. Student Discipline – Expulsion**

**Com. No. ISD1. was moved to the Consent Calendar following the Closed Session.**

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. ISD1.

ADOPTED: 6 Ayes Absent: Trustee Park

**NOTICE REPORTS AND INFORMATIVES**

Com. No. BF/A. [Informative] 2012-2013 First Quarter Financial Status Report

Presented by Chancellor LaVista.

**ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS** (continued)

Trustee Field announced that the next meeting of the Institutional Effectiveness Committee would be held on Wednesday, November 28, 2012.

**ADJOURNMENT**

There being no objection, the regular meeting was adjourned at 5:48 p.m.

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

By: Laurie Green  
Laurie Green  
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Steve Veres  
Steve Veres  
President of the Board

Date December 5, 2012



# Board of Trustees

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

# AGENDA

## ATTACHMENT A

### **CLOSED SESSION**

Wednesday, November 7, 2012

**Los Angeles Pierce College**  
**College Services Conference Room Building 2100**  
6201 Winnetka Avenue  
Woodland Hills, CA 91371

#### **I. Public Employee Evaluation**

(pursuant to Government Code section 54957)

A. Position: Chancellor

#### **II. Conference with Labor Negotiator**

(pursuant to Government Code section 54957.6)

A. District Negotiators: Adriana D. Barrera  
Jeanette Gordon

Employee Units: All Units

All Unrepresented Employees

B. District Negotiators: Adriana D. Barrera  
Jeanette Gordon

Employee Unit: Building and Construction Trades Trades

C. District Negotiators: Adriana D. Barrera  
Jeanette Gordon

Employee Unit: Academic Administrators



D. District Negotiators: Mary Gallagher  
Marvin Martinez  
Adriana D. Barrera  
Jeanette Gordon

Employee Unit: Clerical/Technical

E. District Negotiators: Adriana D. Barrera  
Jeanette Gordon

Employee Unit: Faculty

F. District Negotiators: Adriana D. Barrera  
Jeanette Gordon

Employee Unit: Classified Supervisors

G. District Negotiators: Adriana D. Barrera  
Jeanette Gordon

Employee Unit: Local 99

**III. Consideration of Student Discipline**  
(pursuant to Government Code section 54962 and Education Code section 72122)

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

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

*A. Patrick Salazar v. LACCD (and related matter)*

*B. Merrill Eastcott v. LACCD (two matters)*

*C. Saleem Abdul-Muhyee v. LACCD*

*D. Carmen Baprawski v. LACCD*

*E. Tatyana Ardasenova v. LACCD*

*F. Leo A. Daly Company v. FTR, et al.*

*G. Vahe Darakjian v. LACCD*

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

A. Claim for construction work at Los Angeles Pierce College

B. Potential litigation – 1 matter