

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, June 26, 2013 • 11:30 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 11:35 a.m. with President Steve Veres presiding.

For the record, President Veres noted that the following members were present: Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Absent: Kelly Candaele (arrived at 11:37 a.m.), Mona Field (went straight to the 9th Floor Conference Room), and Tina Park (arrived at 11:37 a.m.). Student Trustee Michael J. Griggs was present.

Chancellor Daniel J. LaVista was present.

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

None.

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 11:36 a.m.

(Trustees Candaele and Park arrived at 11:37 a.m.)

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 1:19 p.m. with President Steve Veres presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Tina Park, Scott J. Svonkin, and Steve Veres. Absent: Nancy Pearlman (arrived at 1:20 p.m.) and Miguel Santiago (arrived at 1:30 p.m.). Student Trustee Michael J. Griggs was present.

Chancellor Daniel J. LaVista was present.

Trustee Park led the Pledge of Allegiance to the Flag.

(Trustee Pearlman arrived at 1:20 p.m.)

REPORT OF ACTIONS TAKEN IN CLOSED SESSION – JUNE 26, 2013

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

The Board took no actions that The Ralph M. Brown Act requires to be reported.

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

None.

ANNOUNCEMENTS FROM COLLEGE PRESIDENTS

Ms. Renee Martinez, Interim President, Los Angeles City College (LACC), announced that LACC won five awards at the 55th Annual Los Angeles Press Club SoCal Journalism Awards ceremony that was held on Sunday, June 23, 2013.

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There being no objection, President Veres took out of order Com. No. BT1. Resolution – Korean War Armistice, Com. No. BT2. Resolution – Trustee Tina Park, and Com. No. BT3. Resolution – Trustee Kelly Candaele.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

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.

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. Nos. BT1., BT2., and BT3. as follows:

Com. No. BT1. Resolution – Korean War Armistice

The following resolution is presented by Trustees Park and Veres:

- WHEREAS, On June 25, 1950, the conflict now known as the Korean War began with the invasion of South Korea; and
- WHEREAS, On July 27, 1953, the Korean War ended upon the signing of an armistice; and
- WHEREAS, Approximately 1.8 million American military personnel served in that conflict; and
- WHEREAS, The American alliance with South Korea continues today, with approximately 37,000 troops presently deployed there; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby recognizes the veterans of the Korean War in honor of the sixtieth anniversary of the armistice; and be it further
- RESOLVED, That the Los Angeles Community College District has served thousands of veterans before and since by providing educational services and support for veterans returning from conflict; and be it further
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby affirms its commitment to providing academic and student support services to all veterans.

Com. No. BT2. Resolution – Trustee Tina Park

The following resolution is presented by Trustee Veres:

- WHEREAS, Tina Park was elected to the Board of Trustees of the Los Angeles Community College District in June 2009; and
- WHEREAS, Trustee Park was the first individual of Korean heritage to be elected to the Board of Trustees; and
- WHEREAS, Trustee Park was elected by her peers to serve as the Board's First Vice President for two consecutive terms; and

- WHEREAS, In this capacity, Trustee Park served as Chair of the Committee of the Whole and initiated a guest speakers' series bringing top educational leaders to address the Board of Trustees; and
- WHEREAS, In recognition of her leadership, the Community College League of California appointed Trustee Park to serve on the Commission on the Future and the Advisory Committee on Legislation; and
- WHEREAS, Trustee Park facilitated the recruitment and enrollment of international students, particularly those from Southeast Asia and Korea; and
- WHEREAS, Trustee Park emphasized the need of the District's college foundations to develop fundraising strategies that will enhance their endowments; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby recognizes Trustee Tina Park for her initiative, drive, and commitment on behalf of the District's students and wishes her well in her future endeavors.

Com. No. BT3. Resolution – Trustee Kelly Candaele

The following resolution is sponsored by Trustee Field:

- WHEREAS, Kelly Candaele was first elected to the Board of Trustees of the Los Angeles Community College District (LACCD) in June 1997 and was re-elected to the Board of Trustees for three additional terms; and
- WHEREAS, During his tenure, Trustee Candaele was elected by the members of the Board of Trustees to serve three terms as Board President; and
- WHEREAS, Over the years, Trustee Candaele served the Board of Trustees in a leadership capacity, chairing such Board committees as Budget and Finance, Finance and Audit, Legislative Affairs, and Legislative; and
- WHEREAS, Trustee Candaele led efforts at the state level to secure and ensure equitable funding for the District; and
- WHEREAS, Trustee Candaele worked steadfastly in support of the Propositions A and AA and Measure J bonds to modernize aging buildings and to build new educational facilities at the District's nine colleges; and
- WHEREAS, Trustee Candaele has been an effective speaker in support of student success, challenging faculty and staff to improve instructional programs and student support services; and
- WHEREAS, Trustee Candaele has been an active supporter of employee rights on matters of discipline, wages, and working conditions; and
- WHEREAS, Trustee Candaele has been an exemplary leader, an eloquent voice, and a principled individual whose four consecutive terms as an elected member of the LACCD Board of Trustees have been marked with lively debate and discourse; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby recognizes Trustee Kelly Candaele for his dedicated service and his assiduous support of the District's students and employees.

Student Trustee Advisory Vote: Aye (Griggs)
COM. NOS. BT1., BT2., AND BT3. ADOPTED: 7 Ayes

Trustee Park presented comments regarding the significance of the Korean War and the armistice.

President Veres and Trustee Park presented certificates to the Korean War veterans who were in attendance.

(Trustee Santiago arrived at 1:30 p.m.)

Dr. Adriana D. Barrera, Deputy Chancellor, expressed her appreciation to Trustee Park for planning the recognition ceremony for the Korean War armistice. She indicated that a majority of the LACCD colleges have Veterans Centers and that framed copies of the signed resolution would be placed in each of the Veterans Centers.

With respect to Com. No. BT2., Trustees Field, Svonkin, Pearlman, Candaele, and Santiago and President Veres commended Trustee Park for her excellent leadership efforts during her term and wished her well in her future endeavors.

Trustee Park expressed her appreciation for the comments and discussed the accomplishments that she achieved during her four years on the Board of Trustees.

Ms. Joanne Waddell, President, Los Angeles College Faculty Guild, and Ms. Sandra Lepore, Executive Secretary, AFT College Staff Guild, expressed their appreciation to Trustee Park for her leadership.

President Veres introduced The Honorable Gil Cedillo, California State Senator and Council Member-Elect, City of Los Angeles.

Senator Cedillo commended Trustees Park and Candaele for their leadership and their service to the LACCD.

With respect to Com. No. BT3., Trustees Pearlman and Field commended Trustee Candaele for his excellent leadership skills and wished him well in his future endeavors.

Trustee Candaele expressed his appreciation to the Board Secretariat, the College Presidents, and the Representatives of Employee Organizations at the Resource Table for their support. He discussed the accomplishments that were achieved during his tenure on the Board of Trustees. He also expressed his appreciation to Chancellor LaVista for his leadership efforts and his colleagues on the Board of Trustees for their support.

On behalf of their respective employee organizations, Ms. Waddell and Ms. Lepore expressed their appreciation to Trustee Candaele for his service to the LACCD.

President Veres introduced The Honorable Richard Alarcon, Council Member, City of Los Angeles.

Councilman Alarcon gave a statement about the LACCD's newly approved City of Los Angeles Green Business Certification Program. He recognized the District's unique abilities to assist many businesses throughout Los Angeles that are interested in deploying sustainable business practices. Funding from the City totals \$916,825, which will support District-led activities for three years. The Green Business Certification Program will work with partners such as the United States Green Building Council, Green Seal, Green Globe, and other stakeholders. The LACCD will leverage these funds to initiate activities through region-specific District colleges.

There being no objection, the regular meeting recessed to a reception at 2:22 p.m.

The regular meeting reconvened at 2:55 p.m.

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PUBLIC AGENDA REQUESTS

Oral Presentations

President Veres read the cautionary language for speakers and their personal responsibility and, potentially, personal liability for defamatory remarks.

On behalf of Congresswoman Maxine Waters, Mr. Sean Fleming Jr. addressed the Board regarding the Contractor Bonding Assistance Program.

Mr. Leonard Lumas addressed the Board regarding the Contractor Bonding Assistance Program.

Ms. Delicia Mosley addressed the Board regarding her efforts to resolve issues of alleged retaliatory harassment and complete the Registered Nursing (RN) Program at Los Angeles Southwest College (LASC). She distributed a memorandum regarding this issue.

Proposed Actions

None.

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CONSENT CALENDAR

Matters Requiring a Majority Vote

President Veres entertained a motion to adopt the Consent Calendar on Matters Requiring a Majority Vote.

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

The Student Trustee's vote did not apply to HRD2.

Com. No. BF1. 2013-2014 Tentative Budget Adoption

Com. No. BF2. Authorization to Make Appropriation Transfers

Com. No. HRD1. Authorize Employment Actions for College Presidents and Executives

President Veres indicated that the Board did not complete its discussion regarding Com. No. HRD1. during the first Closed Session and would complete this discussion during the second Closed Session. He indicated that Com. No. HRD1. would be withdrawn until the Board meeting of July 24, 2013.

For the record, Trustee Svonkin indicated that when this item comes back to the Board, he would vote in opposition to the increases in salary.

Withdrawn.

Com. No. HRD2. Reopen the 2011-2014 Collective Bargaining Agreement with the Supervisory Employees' Union S.E.I.U. Local 721, Regarding Compensation Issues for 2013-2014

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

Matters Requiring a Super Majority Vote

None.

REPORTS FROM THE CHANCELLOR

Reports from the Chancellor Regarding District Activities or Pending Issues

Chancellor LaVista expressed his appreciation to Trustees Candaele and Park for their service to the District. He expressed his best wishes to Dr. Barrera on her upcoming position as Interim Chancellor. He discussed the significance of the District's impact on higher education in California and presented comments regarding the implementation of a Board actionable plan, the bond program, accreditation, student success, faculty development, basic skills, and adult education.

* * *

REPORTS AND RECOMMENDATIONS FROM THE BOARD (continued)

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. BT4. Resolution – Chancellor Daniel J. LaVista

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. BT4. as follows:

The following resolution is presented by Trustees Veres and Park:

- WHEREAS, Daniel J. LaVista, Ph.D., has been the Chancellor of the Los Angeles Community College District, the largest in the nation, from August 2010 through June 2013; and
- WHEREAS, Chancellor LaVista has done a masterful job of overseeing the District, its nine colleges, and the \$6 billion bond program; and
- WHEREAS, Chancellor LaVista has guided the District through years of uncertainty caused by the state's devastating financial crisis, working with the Chief Financial Officer to preserve faculty and staff jobs, maintain financial viability, and build a budget reserve as a hedge against future fiscal peril; and
- WHEREAS, Chancellor LaVista has instituted reforms to the District's Building Program that have allowed the construction of energy efficient, award-winning structures to move forward, fulfilling the will of the voters; and
- WHEREAS, Chancellor LaVista has maintained his focus on student success, persistently working for greater course availability and higher completion rates; and
- WHEREAS, Chancellor LaVista has been a strong voice in the community, working with the Board of Trustees and leaders across the state to promote the District and stress the vital role community colleges can play in achieving economic growth; and
- WHEREAS, Chancellor LaVista has been an influential figure in Sacramento, advocating for a place at the table for community colleges in California's scheme for public higher education; and
- WHEREAS, The Los Angeles Community College District (LACCD) under Chancellor LaVista's leadership has emerged from one of its most challenging periods with the tools and resolve to better serve its students; now, therefore, be it
- RESOLVED, That the faculty, staff, and student body of a district that stretches across 40 Southern California cities will be forever grateful that Chancellor LaVista was here, the right man for a difficult time; and be it further

RESOLVED, That the Board of Trustees, the District and the greater Los Angeles community recognize the impact that he has made on the LACCD's nine colleges, with his influence extending well beyond his tenure.

Student Trustee Advisory Vote: Aye (Griggs)

ADOPTED: 7 Ayes

Trustees Field, Candaele, Svonkin, Santiago, Pearlman, and Park and President Veres expressed their appreciation to Chancellor LaVista for his outstanding leadership and wished him well in his future endeavors.

On behalf of their respective employee organizations, Ms. Waddell and Ms. Lepore expressed their appreciation to Chancellor LaVista for his excellent leadership.

(Trustee Field left at 4:00 p.m.)

Com. No. BT5. Adopt Board Rule 2308.10 – Monument Policy

Motion by Trustee Park, seconded by Trustee Pearlman, to adopt Com. No. BT5.

Trustee Svonkin requested clarification regarding the following item as it relates to the composition of the CMC prior to adopting this Board Rule:

- C. Consideration of Proposed Donations. The College President shall forward requests to a campus-based College Monument Committee ("CMC"). The College President shall determine the composition of the CMC and designate appointees to the CMC or designate an existing campus committee to serve as the CMC. The CMC will consider the request with the following criteria:**

Trustee Svonkin recommended the following amendment:

- C. Consideration of Proposed Donations. The College President shall forward requests to a campus-based College Monument Committee ("CMC"). The College President shall determine the composition of the CMC and designate appointees to the CMC or designate an existing campus committee to serve as the CMC. The CMC will consider the request with the following criteria:**

...

- 4. The sufficiency of funding for construction, installation, ~~removal~~, and maintenance;**

Trustee Pearlman expressed her concern that monuments should also honor a living person if appropriate. She recommended the following amendment:

- C. Consideration of Proposed Donations. The College President shall forward requests to a campus-based College Monument Committee ("CMC"). The College President shall determine the composition of the CMC and designate appointees to the CMC or designate an existing campus committee to serve as the CMC. The CMC will consider the request with the following criteria:**

...

- 7. Monuments honoring a specific living person are ~~not~~ allowed.**

The amendments were accepted by the maker and seconder of the motion.

Student Trustee Advisory Vote: Aye (Griggs)

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

Com. No. BT6. Amend Board Rule 10308 – Selection of College President

Motion by Trustee Park, seconded by Trustee Svonkin, to adopt Com. No. BT6.

Student Trustee Advisory Vote: Aye (Griggs)

ADOPTED: 6 Ayes Absent: Trustee Field

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RECOMMENDATIONS FROM THE CHANCELLOR

None.

RECESS TO CAPITAL CONSTRUCTION COMMITTEE

There being no objection, the regular meeting recessed to the Capital Construction Committee at 4:08 p.m.

President Veres relinquished the gavel to Trustee Santiago to chair the Capital Construction Committee.

For the record, Trustee Santiago noted that all of the Board members were present with the exception of Trustee Field.

Public Speakers

None.

Presentations/Initiative Reviews

Update on Proposed Amendments to the 2010 Los Angeles Harbor College Facilities Master Plan

Mr. James D. O'Reilly, Executive Director, Facilities Planning and Development, indicated that due to the shortage of time, this item would be withdrawn until the next Capital Construction Committee meeting.

Withdrawn.

Update on the Bond Program Management

Mr. O'Reilly presented a bond program management update that focused on three issues—(1) risk assessment, (2) the energy program, and (3) program management and the general construction counsel.

Trustee Santiago initiated a question and answer session regarding the bond program management update.

New Business

Trustee Pearlman requested that an update report be presented at the next Capital Construction Committee meeting regarding the status of the recycling program at the campuses.

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

Adjourn Capital Construction Committee

There being no objection, the Capital Construction Committee meeting was adjourned at 4:17 p.m.

Trustee Santiago relinquished the gavel to President Veres.

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 4:17 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 Field.

Chancellor Daniel J. LaVista was present.

NOTICE REPORTS AND INFORMATIVES

None.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

None.

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

With respect to Com. No. HRD3. Disciplinary Action Regarding Classified Employees Roman Numeral I. Suspension of Classified Permanent Employees Item A., Ms. Fern Reisner addressed the Board on behalf of Ms. Chara Coleman-Roberts.

Ms. Coleman-Roberts addressed the Board regarding the charges against her.

Ms. Sandra Lepore addressed the Board on behalf of Ms. Coleman-Roberts.

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 4:27 p.m.

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 6:55 p.m. with President Steve Veres presiding.

All of the Board members were present with the exception of Trustee Field and Trustee Park.

Chancellor Daniel J. LaVista was present.

REPORT OF ACTIONS TAKEN IN CLOSED SESSION – JUNE 26, 2013

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

The Board took actions to settle the following matters:

Jonathon Stevens vs. FEI in the amount of \$50,000
Nancy Storti vs. LACCD, J.D. Diffenbaugh in the amount of \$160,000
Construction Laborers Trust Funds vs. Summit Builders, LACCD in the amount of \$73,685.43
OCIP Claim for water damage at West Los Angeles College in the amount of \$94,892.50

The particulars of these settlements may be found in the settlement agreements on file and available in the General Counsel's Office.

In addition, the Board took an action to approve the filing of a Cross-Complaint against Taisei Construction Corporation.

The Board took no further actions that The Ralph M. Brown Act requires to be reported.

CONSENT CALENDAR

Matters Requiring a Majority Vote

Com. No. HRD3. Disciplinary Action Regarding Classified Employees

There being no objection, Item A. and Item B. were taken up separately.

I. SUSPENSION OF CLASSIFIED PERMANENT EMPLOYEES

- A. The fifteen (15) days suspension of employee (EN793491) assigned to Pierce College as a permanent Bookstore Buyer is based on the following causes:

...

Motion by Trustee Pearlman, seconded by Trustee Candaele, to adopt Item A.

ADOPTED: 5 Ayes Absent: Trustee Field and Trustee Park

- B. The thirty (30) days suspension of employee (EN715345) assigned to Pierce College as a permanent Associate Vice President, Administrative Services is based on the following causes:

...


Motion by Trustee Pearlman, seconded by Trustee Candaele, to adopt Item B.

ADOPTED: 5 Ayes Absent: Trustee Field and Trustee Park

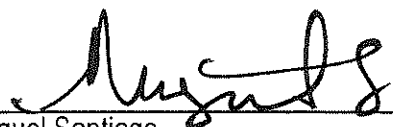
ADJOURNMENT

There being no objection, the regular meeting was adjourned at 7:02 p.m.

ADRIANA D. BARRERA
Interim 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 July 10, 2013



Board of Trustees

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

AGENDA

ATTACHMENT A

CLOSED SESSION
Wednesday, June 26, 2013

**Educational Services Center
Board Room – First Floor
770 Wilshire Boulevard
Los Angeles, CA 90017**

- I. **Public Employee Employment**
(pursuant to Government Code section 54957)
 - A. Position: Chancellor

- II. **Public Employee Evaluation**
(pursuant to Government Code section 54957)
 - A. Position: College Presidents
 - B. Position: Vice Chancellors
 - C. Position: General Counsel
 - D. Position: Deputy Chancellor
 - E. Position: CFO/Treasurer

- III. **Conference with Labor Negotiator**
(pursuant to Government Code section 54957.6)
 - A. District Negotiators: Adriana D. Barrera

Employee Units: All Units

All Unrepresented Employees

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- B. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Building and Construction Trades
- C. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Academic Administrators
- D. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Clerical/Technical
- E. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Supervisory
- F. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Local 99
- G. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Faculty

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

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

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

- A. *LACCD v. Teresa Grenot*
- B. *Susan Veksler v. LACCD*
- C. *Edrik Stamps v. Dr. Daniel J. LaVista*
- D. *Calvin Louissint v. LACCD*
- E. *Jonathon Stevens vs. FEI*
- F. *Nancy Storti v. LACCD, J.D. Diffenbaugh, Inc.*
- G. *Construction Laborers Trust Funds vs. Summit Builders, LACCD, et al.*
- H. *Taisei Construction Corporation vs. LACCD*
- I. *Chapman Coast Roof Co., Inc. vs. Taisei, LACCD, et al.*

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

- A. Settlement of District OCIP Claim for Water Damage at West Los Angeles College