

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, December 12, 2018

First Closed Session 1:00 p.m. – 2:00 p.m.

First Public Session 2:00 p.m. – 5:45 p.m.

Second Closed Session 6:00 p.m. – 8:00 p.m.

Second Public Session

(Immediately Following Closed Session)

West Los Angeles College

Fine Arts Auditorium, FA-100

9000 Overland Avenue

Culver City, CA 90230

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 1:00 p.m. with President Mike Fong presiding.

On roll call the following members were present: Gabriel Buelna, Mike Fong, Andra Hoffman, Ernest H. Moreno, Scott J. Svonkin, David Vela, and Steven F. Veres.

Student Trustee Kellie N. Williams was not present.

Chancellor Francisco C. Rodriguez was present.

RECESS TO CLOSED SESSION

There being no objection, the Board 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 1:00 p.m.

RECONVENE REGULAR MEETING

The regular meeting reconvened at 2:20 p.m.

The following members were present: Gabriel Buelna, Mike Fong, Andra Hoffman, Scott J. Svonkin, and David Vela. Absent: Ernest H. Moreno (arrived at 2:25 p.m.) and Steven F. Veres (arrived at 2:31 p.m.).

Student Trustee Kellie Williams was present (arrived at 2:30 p.m.)

Student Trustee Kellie N. Williams led the Pledge of Allegiance to the Flag.

Welcome Remarks by James Limbaugh, President, West Los Angeles College

Dr. James Limbaugh, President, West Los Angeles College (WLAC), welcomed everyone.

Signing Ceremony: Loyola Marymount University and West Los Angeles College Scholars Program

President Fong thanked Dr. Limbaugh, WLAC Faculty, and staff and administrators who helped to create this partnership.

Dr. Limbaugh introduced Dr. Tom Poon, Executive Vice President and Provost; Dr. Maureen Weatherall, Vice Provost, Enrollment Management; Dr. Dayle M. Smith, Dean of LMU's College of Business Administration, Loyola Marymount University.

Loyola Marymount University (LMU) and West Los Angeles College (WLAC) signed an agreement that will enable community college students to receive guaranteed admission to LMU's College of Business Administration after meeting specific GPA and unit requirements.

Dr. Limbaugh stated "West Los Angeles College is proud to partner with Loyola Marymount University in providing a pathway for high schools to move toward attainment of their bachelor's degree. Through this partnership, students will have the benefit of an education from two outstanding institutions that are dedicated to academic quality and the success of every student."

A signing ceremony was conducted for the agreement.

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

The following individuals reported from the Resource Table:

Ms. Joanne Waddell, President, Los Angeles College Faculty Guild, and Dr. Angela Echeverri, President, District Academic Senate.

Trustee Svonkin reported that Mr. Irwin Piper, Facilities Plant, Los Angeles Trade-Technical College, recently passed away. He indicated that the Board meeting would be adjourned in the memory of Mr. Piper.

APPROVAL OF MINUTES

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

Regular Board Meeting, November 14, 2018

Student Trustee Advisory Vote: Aye (Williams)

APPROVED: 7

PUBLIC AGENDA REQUESTS

Oral Presentations

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

Scheduled speakers Mr. James Gooden and Ms. Sarah Liang were not present.

Ms. Daniela Hernandez addressed the Board regarding her being attacked by another student while on campus and her fear of this incident reoccurring. She requested that this student be permanently expelled from the college.

Mr. Tom Wulf addressed the Board regarding the speakers who addressed the Board at the Committee of Whole on November 28, 2018 regarding the Terranea Resort, Lowe Enterprises. He expressed his concern that they were not given the opportunity to respond to their allegations against the administration at the Terranea Resort.

Proposed Actions

None

REQUESTS TO ADDRESS THE BOARD – MULTIPLE AGENDA MATTERS

None

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Reports and Recommendations from the Board

Reports of Standing and Special Committees

Trustee Svonkin reported on the Facilities Master Planning & Oversight Committee meeting of November 28, 2018.

Trustee Buelna reported on the Institutional Effectiveness & Student Success Committee of November 28, 2018.

Trustee Hoffman reported on the Budget & Finance Committee meeting of November 28, 2018.

Trustee Vela reported on the Legislative & Public Affairs Committee meeting that was held earlier today.

Student Trustee Williams reported on the Student Affairs Committee of December 7, 2018.

Proposed Actions

The following action item, 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, was presented by the Board of Trustees and action taken as indicated.

Com. No. BT1. Resolution – Dr. Martin Luther King, Jr. Week

Motion by Trustee Vela, seconded by Trustee Svonkin, to adopt Com. No. BT1.

RESOLUTION – DR. MARTIN LUTHER KING, JR. WEEK

The following resolution is presented by President Fong, Trustees Vela and Svonkin:

- WHEREAS, Since 1986, the third Monday in January has been observed as a national holiday in commemoration of the birthday of Dr. Martin Luther King, Jr.; and
- WHEREAS, Dr. Martin Luther King, Jr. had a dream to one day live in a nation where people would "not be judged by the color of their skin but by the content of their character"; and
- WHEREAS, Dr. Martin Luther King, Jr. was a civil rights leader who believed in a philosophy of nonviolence in his efforts to secure justice and equal access for African-Americans as well as other underrepresented groups; and
- WHEREAS, His movement brought about desegregation, the Civil Rights Act of 1964, the Voting Rights Act of 1965, and a national awareness of racial injustice and economic deprivation; and
- WHEREAS, In 1964, he was awarded the Nobel Peace Prize for his pursuits; now, therefore, be it

- RESOLVED, That the District shall disseminate the information contained in this resolution to all nine colleges and will post it on the LACCD website in order to inform the greater LACCD community, interested stakeholders, and the public of the Board's affirmative, be it, further
- RESOLVED, It is herein encouraged to volunteer to help others less fortunate than themselves; and therefore, be it further
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby designates January 21-25, 2018 as *Dr. Martin Luther King, Jr. Week* to honor his many achievements and contributions to all Americans.

Student Trustee Advisory Vote: Aye (Williams)

ADOPTED: 7 Ayes

Com. No. BT2. Board Travel Authorizations/Conference Ratification

Motion by Trustee Svonkin, seconded by Trustee Moreno, to adopt Com. No. BT2.

Student Trustee Advisory Vote: Aye (Williams)

APPROVED: 7 Ayes

REPORT FROM THE CHANCELLOR

Report from the Chancellor Regarding Activities or Pending Issues in the District

Status Report on Dream Resource Centers at LACCD

Chancellor Rodriguez distributed a document entitled "December 12, 2018 – Chancellor's Monthly Report" and the "Board Meetings and Board Standing Committees Follow-up Items" as informational only.

Chancellor Rodriguez discussed the Dream Resource Centers at each one of our nine colleges as a result of Board resolutions with support from our college presidents. With respect to the funds raised at the barbeque, Chancellor Rodriguez indicated that not only did it raise funds but also awareness. This awareness was really to substantiate the two years of work that had been conducted by the DACA Immigration Task Force efforts. Also, the District has circulated in writing throughout the State clear unequivocal stances on student privacy, the protection of records, codified a relationship with our local law enforcement, and articulated our expectations to work together in terms of intrusion and the protocol of federal agencies' presence. Lastly, various resources are available to students. He indicated that on the District website there is a link entitled "LACCD Immigration Resources." The resources list has a host of protocol and special hot lines for students to contact. He continued to discuss the Active Dream

Resource Center group that was deployed from the DACA Immigration Task Force. This group is comprised of leaders of the Dream Resource Centers who are seeking to build a network of support across the District. He expressed that this still is not enough but it is something that we will keep supporting. He explained the efforts being made to fill positions for counselors and resource staff. He also discussed the Legislative & Public Affairs Committee's efforts in communicating to our State Legislator and the Governor elect to support our students by providing additional funding for the LACCD resource centers.

He announced and congratulated Dr. Erika A. Endrijonas, President, Los Angeles Valley College, for her appointment as the district's next superintendent/president of Pasadena City College. He expressed his appreciation to Dr. Endrijonas for all her years of services to the LACCD.

College Presentation: 50, Strong and Growing

Dr. Limbaugh gave a PowerPoint presentation entitled "50, Strong and Growing."

A question and answer session was conducted regarding the presentation.

Dr. Limbaugh reported that Mr. Vidal Valle, Counselor, WLAC, recently passed away. He requested that the Board meeting also be adjourned in the memory of Mr. Ville.

CONSENT CALENDAR

Matters Requiring a Majority Vote

President Fong noted for the record that Com. No. BF4. Accept the Receipt of Program Performance Audit for Fiscal Year Ended June 30, 2018, BSD1. J. License Agreements, agreement number 4500263991, and HRD4. Approve Disciplinary Action for Classified Permanent Employee were withdrawn.

The Chancellor noted that BF4. will be presented at the Facilities Master Planning & Oversight Committee in January and will be brought back for action in February 2019.

The following item was requested to be discussed further:

Com. No. FPD3. Approve Facilities Master Planning & Oversight Committee's Recommendation to Continue Utilizing the Current Bond Program MATOC Structure

Motion by Trustee Svonkin, seconded by Trustee Hoffman, to adopt remaining items on the Consent Calendar for Matters Requiring a Majority Vote.

Com. No. BF1. Ratify Budget Revisions and Appropriation Transfers

Com. No. BF2. Accept Receipt of Annual Audit

Com. No. BF3. Accept Receipt of General Obligation Bond Financial Audit

Com. No. BF4. Accept Receipt of Program Performance Audit for Fiscal Year Ended June 30, 2018

Withdrawn

Com. No. BSD1. Ratify Business Services Actions

~~With respect to BSD1. J. License Agreements, agreement number 4500263991-East. Agreement with Social Solutions Global, Inc. to provide use of the Efforts-to-Outcomes software to track the effectiveness of campus Student Equity initiatives during the period of July 1, 2018 to June 30, 2017, inclusive. Total cost: \$46,187.~~

With respect to BSD1. K. Maintenance Agreements, agreement 4500250722-Pierce, Amendment No. 1. to renew agreement with Canon Solution Americas, Inc. for maintenance of 10 imaging systems..., Trustee Svonkin inquired as to the status of a master agreement that would allow for the best price for copiers and the maintenance services.

Dr. Miller indicated that they have been working on the procurement process for the last 10 months. He estimated that in February a recommendation will be presented to the Board for a Districtwide solution for consideration.

With respect to BSD1. J. License Agreements agreement 4500263991-East. Agreement with Social Solutions Global, Inc. to provide use of the Effort-to-Outcomes software to track the effectiveness of campus Student Equity initiative during the period of July 1, 2018 to June 30, 2019, Trustee Svonkin inquired as to the RFP process and why this was not a bundle service agreement.

With respect to BSD1. O Service Agreements – Outreach and Marketing-East, agreement with Azalea Joint Venture LLC dbd Primestor Media Group..., Trustee Svonkin inquired if this was a competitive process and why this was not a bundle service.

Mr. Marvin Martinez, President, East Los Angeles College (ELAC), explained that this is a mall that is adjacent to the college where classes are being offered. The facility has an electronic board that can advertise on behalf of ELAC in order to target students that are in close proximity to the college.

With respect to BSD1. P. Services Agreements – East, agreement 4500264010, agreement with American Air Filer dba AAF Flanders to replace 3,300 filer for three campuses..., Trustee Svonkin inquired why this is not for all nine colleges.

Dr. Miller indicated the colleges are broken up into regions. He stated that this agreement was intended for the Cityside colleges, but it is an economy of scale and they will work on this going forward to include all nine colleges.

With respect to BSD1. P. Service Agreements-Southwest College, agreement 4500263668, agreement with 25th Hour Communications, Inc. to build website with the OmniUpdate templates..., Trustee Svonkin expressed his concern as to the coordination of this service and inquired as to the process that leads to awarding this agreement.

Dr. Seher Awan, President, Los Angeles Southwest College (LASC), stated that this is a communications company and was rated as one of the top communications companies for community colleges. She described the RFP process and the various services they will provide to LASC students navigating the college's website and reflect on how we communicate to our students as a recruitment tool.

Trustee Svonkin requested that the RFP be provided to the Board

With respect BSD1. P. Service Agreements agreement 4500264507-Educational Services Center. Agreement with UCLA Meyer & Renee Luskin Conference Center to provide a location for the Chancellor's Leadership and Planning Retreat, Trustee Moreno expressed his concern that this function could have been held at any one of our colleges. He requested that this type of service agreement be ceased from being presented going forward and that we utilize our facilities for these types of functions.

Mr. Larry Frank, President, Los Angeles Trade-Technical College, noted for the record that the following item is withdrawn.

~~**Agreement 4500217197 Trade Technical College. Agreement with Crowne Plaza Redondo Beach for a Foster and Kinship Care workshop and dinner event for 200 participants as allowed by the Community College Foundation Resource Family Approval program on February 22, 2019. Total cost: \$12,000.**~~

Withdrawn.

Com. No. BSD2. Approve Business Services Actions

With respect to BSD2. Roman II. Authorize Service Agreements, Trustee Svonkin requested a presentation on the item.

Dr. Miller discussed the agreement with Exiger LLC for the bond program compliance monitoring services which will include detecting and investigating possible complaints or concerns of fraud, corruption and/or mismanagement in connection with the District's, Proposition A, AA, and Measures J and CC bond-funded construction program.

Trustee Svonkin requested that regular updates be provided to the Board and quarterly updates be provided to the Bond Oversight Committee.

A detailed question and answer session was conducted regarding the presentation.

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

With respect to FPD1. Roman Numeral VII. Ratify Amendment to Design-Build Agreement, Trustee Svonkin inquired who is responsible for not discovering the unforeseen conditions.

The tests that were initially conducted in various areas did not yield the results that would have discovered the unforeseen conditions

Com. No. FPD2. Authorize Master Procurement Agreement

Com. No. HRD1. Approve Personnel Services Routine Actions

Com. No. HRD2. Approve Salary Reallocation for Miscellaneous

Com. No. HRD3. Authorize Executive Employment Action

Com. No. ISD1. Approve New Educational Courses and Programs

Com. No. ISD2. Approve New Community Services Courses

Com. No. ISD3. Approve Out of State Student Travel

Com. No. ISD4. Approve College and Career Access Pathway Partnership Agreement Between the Burbank Unified School District and Los Angeles Community College District

Correspondence

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

Student Trustee Advisory Vote: Aye (Williams)

ADOPTED: 7 Ayes

Com. No. FPD3. Approve Facilities Master Planning & Oversight Committee Recommendation to Continue Utilizing the Current Bond Program MATOC Structure

Motion by Trustee Svonkin, seconded by Trustee Moreno, to adopt Com. No. FPD3.

President Fong opened the topic for discussion and requested that Mr. David Salazar give a summary of the item.

Trustee Veres noted for the record that this item has been discussed in several Board and committee meetings.

President Fong asked for questions from the Board. No questions were provided. President Fong requested roll call on Com. No. FPD3.

Student Trustee Advisory Vote: Aye (Williams)

Ayes: 3 (Fong/Moreno/Svonkin)

Noes: 4 (Buelna/Hoffman/Vela/Veres)

FAILED

Trustee Vela entertained a motion to consider moving forward in order to continue the bond construction program with a one year extension to the current MATOC model and that work begin on a new Request For Proposal (RFP) Agency Contractor Construction Manager (CCM).

Mr. Jeff Prieto, General Counsel, advised the Board that the appropriate action, since this topic was not agenized, is to give guidance to staff to move forward in a particular manner.

Trustee Svonkin suggested that if the prevailing parties move to reconsider the item and consensus is reached, a motion to amend Com. No. FPD3 can be made in order to change FPD3 five-year period from July 1, 2019 through June 30, 2024 to a shorter term.

Trustee Vela entertained a motion to reconsider Com. No. FPD3 and to amend the period to a shorter term.

Motion by Trustee Vela, seconded by Trustee Buelna, to reconsider Com. No. FPD3 and amend the period to a shorter term.

Student Trustee Advisory Vote: Aye (Williams)

APPROVED: 6 Ayes

ABSTAINED: 1 (Veres)

President Fong opened the topic for discussion.

Trustee Vela recommended that the Board consider amending the current agenda item that states that the current MATOC structure be a five-year period from July 1, 2019 through June 30, 2024 to a shorter term from July 1, 2019 through June 30, 2020.

Trustee Veres questioned the recommendation since the original statement made by Trustee Vela was also to give guidance to staff that work begin on a new Request For Proposal (RFP) Agency Contractor Construction.

Trustee Vela noted that at this time he cannot recommend something new per the General Counsel's advice.

Mr. Prieto noted for the record that the term is acceptable for one year. He deferred to Mr. David Salazar for point of clarification.

Mr. Salazar stated that the Program Management Office (PMO) currently operates under the MATOC structure, which has to continue for the life of the program. He indicated that unless a decision is made to change the current model we need to continue with the MATOC structure.

Trustee Vela stated that he does acknowledge and understand that the current MATOC model at the PMO level needs to continue and that this is strictly for the college project teams. He noted that he'd like to further amend Com. No. FPD3 to a shorter term from July 1, 2019 through June 30, 2020 and that it apply to the college project teams.

Trustee Svonkin noted for the record that although one year keeps the program moving, he urges the Board to extend the MATOC for two to three years so that we can have an orderly transition if we are going to transition. He indicated that the Board was aware of the CPM model that caused strife, uproar, and terrible controversy in our District.

He expressed his respect to Trustee Vela and stated that Trustee Vela has the most direct experience and urged him to consider two years and that an evaluation process be conducted at the end of the two years before moving to the other process.

Trustee Vela responded that he cannot support two years and that the most he can consider is 18 months. He stated that this should be sufficient time to move to a new process.

Mr. Prieto stated that there is a motion on the table for a one year extension.

President Fong clarified that the author, Trustee Vela, has made an amendment to 18 months.

Trustee Vela noted for the record his amendment to his previous motion to extend the MATOC structure from one year to 18 months ending December 31, 2020 and that this only apply to the college project teams.

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

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RECOMMENDATIONS FROM THE CHANCELLOR

Matters Requiring a Super Majority Vote

Com. No. FPD4. Adopt Resolution Ratifying a Construction Contract Issued on an Emergency Basis to Upgrade to the Fire Alarm System to Current Code at Corporate Center

Motion by Trustee Svonkin, seconded by Trustee Moreno, to adopt Com. No. FPD4.

Student Trustee Advisory Vote: Aye (Williams)

APPROVED: 7 Ayes

President Fong sadly announced that former LATTC faculty member Shoushan Baklayan and her son Anthony Noubar Baklayan passed away in the Woolsey Fire last year. He requested that the meeting be adjourned in their memory as well.

NOTICE REPORTS AND INFORMATIVES

Com. No. BF/A [Informative] 2018-2019 First Quarter Financial Status Report

Noticed by Chancellor Rodriguez.

Com. No. CH/A [Notice] Repeal Board Rule Chapter IX, Article IX ET SEQ.

Noticed by Chancellor Rodriguez.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS BY MEMBERS OF THE BOARD OF TRUSTEES

Trustee Vela directed his statement to the LACCDBuild Program and individuals in the industry. He stated that the Board is coming together to make sure that the construction program is successful. He requested the Build Program and Mr. Salazar present further options to the FMPO&C going forward. He stated that that the FMP&O Committee recommendations to the full Board are not binding. They are presented to the full Board for action/approval. He thanked his colleagues and the LACCDBuild Program for keeping the construction program moving.

Trustee Buelna requested that Student Housing be discussed at a future Board meeting.

President Fong indicated that this will be considered at a Committee of the Whole for further discussion on this topic.

Trustee Svonkin requested that a review session of the Board Ethics Training and discussion on Role/Authority of Committees be conducted at one of the Board's Retreats.

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

None

RECESS TO CLOSED SESSION

There being no objection, the Board 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 5:56 p.m.

RECONVENE REGULAR MEETING

The regular meeting reconvened at 8:01 p.m.

The following members were present: Gabriel Buelna, Mike Fong, Ernest H. Moreno, Scott J. Svonkin, David Vela, and Steven F. Veres. Absent: Andra Hoffman.

Student Trustee Kellie Williams was absent.

REPORT OF ACTIONS TAKEN IN CLOSED SESSION – December 12, 2018

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

CONSENT CALENDAR (continued)

Matters Requiring a Majority Vote

~~**Com. No. HRD4. Approve Disciplinary Action for Classified Permanent Employee**~~

WITHDRAW

Com. No. ISD5. Approve Student Discipline – Expulsion Without Reconsideration

Motion by Trustee Veres, seconded by Trustee Buelna, to adopt Com. No. ISD5. Roman numeral I.

APPROVED: 6 Ayes

ABSENT: 1 (Vela)

Motion by Trustee Buelna, seconded by Trustee Svonkin, to adopt Com. No. ISD5. . Roman numeral II.

APPROVED: 6 Ayes

ABSENT: 1 (Vela)

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

ADJOURNMENT

There being no objection, the regular meeting was adjourned at 7:00 p.m. in the memory of the following individuals:

- Mr. Irwin Piper, Facilities Plant, LATTTC (Svonkin)
- Ms. Shoushan Baklayan and her son Mr. Anthony Noubar Baklayan passed away in the Woolsey Fire (President Fong)
- Mr. Vidal Valle, Counselor, WLAC (President Limbaugh)

FRANCISCO C. RODRIGUEZ
Chancellor and Secretary of the Board of Trustees

By: _____
Guadalupe M. Orozco
Administrative Assistant to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Mike Fong
President of the Board

Date January 9, 2019