

# LOS ANGELES COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### MINUTES – REGULAR MEETING

Wednesday, January 13, 2010 • 12:30 p.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 12:30 p.m. with President Mona Field presiding.

On roll call the following members were present: Mona Field, Georgia L. Mercer, Tina Park, Nancy Pearlman, Miguel Santiago, and Sylvia Scott-Hayes. Absent: Kelly G. Candaele (arrived at 12:50 p.m.). Student Trustee Rodney D. Robinson was not present (arrived at 2:00 p.m.).

Interim Chancellor Tyree Wieder was present.

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

None.

#### **RECESS TO CLOSED SESSION**

Ms. Camille Goulet, General Counsel, indicated that the posted Closed Session agenda includes litigation matters as may be announced prior to the recess to Closed Session. She announced that the *Van de Kamp Coalition v. LACCD et al.* is being added to the agenda for Closed Session today.

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to recess to Closed Session in accordance with The Ralph M. Brown Act and the Education Code. The Board will discuss the matters on the Closed Session agenda as posted and announced (see Attachment A).

*APPROVED: 6 Ayes*

The regular meeting recessed to Closed Session at 12:31 p.m.

(Trustee Candaele arrived at 12:50 p.m.)  
(Student Trustee Robinson arrived at 2:00 p.m.)

#### **RECONVENE REGULAR MEETING**

The regular meeting of the Board of Trustees of the LACCD reconvened at 3:34 p.m. with President Mona Field presiding.

On roll call the following members were present: Mona Field, Georgia L. Mercer, Tina Park, Nancy Pearlman, and Sylvia Scott-Hayes. Absent: Kelly G. Candaele and Miguel Santiago. Student Trustee Rodney D. Robinson was present.

Interim Chancellor Tyree Wieder was present.

Trustee Mercer led the Pledge of Allegiance to the Flag.

(Trustees Candaele and Santiago arrived at 3:36 p.m.)

President Field introduced the following three students from the University of California, Berkeley, who are participating in an "externship" program: Mr. Saul Ramirez, Ms. Araceli Argueta, and Ms. Amaris Leituena.

## **APPROVAL OF MINUTES**

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to approve the following minutes:

Regular Meeting and Closed Session – October 7, 2009  
Regular Meeting and Closed Session – October 21, 2009  
Regular Meeting and Closed Session – November 4, 2009  
Regular Meeting and Closed Session – November 18, 2009

*Student Trustee Advisory Vote: Aye (Robinson)*  
**APPROVED: 7 Ayes**

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

Mr. Reginald McCoy, President, SEIU Local 721, expressed his appreciation to Trustees Field and Mercer for attending the SEIU Local 721 Executive Board meeting and Open Forum that were held on January 12, 2010.

Mr. James Butler-Zetino, ASO President, Los Angeles City College (LACC), and Student Representative at the Resource Table, addressed the Board regarding Administrative Regulation E-22 – Eligibility for Associated Student Organization Offices and the importance of providing affordable transportation for LACCD students. He commended Mr. Scott Clapson, ASO Senator, Environmental Affairs, LACC, for his efforts in promoting sustainability on the campus.

Mr. David Beaulieu, President, District Academic Senate, reported that the first of a series of sustainability classes was held at the Educational Services Center on January 12, 2010. He indicated that there will also be a sustainability program for faculty members. He announced that a workshop will be presented by the National Science Foundation (NSF) on February 26, 2010 at LACC. The NSF will provide information on how to compete for Science, Technology, Engineering, and Mathematics (STEM) Program grants.

## **PUBLIC AGENDA REQUESTS (Category A)**

### Oral Presentations

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

With respect to the debarment hearing that was held on December 9, 2009, Mr. Phillip Boutte and Mr. Gabriel Fedida addressed the Board with their concerns that FEI Enterprises, Inc. was denied its right to a fair and impartial hearing as required by the 14<sup>th</sup> Amendment.

Scheduled speaker Mr. Robert Klein was not present.

For the record, Trustee Pearlman indicated that she believes the debarment hearing was a fair hearing according to the legal advice that the Infrastructure Committee received. She acknowledged at that time that decisions were made that were not acceptable to some of the people who were speaking, but that the hearing was held fairly. Everybody was given equal time and everybody had an opportunity to present witnesses. She also acknowledged at that time the fact that the decisions did not make everybody happy. She stated that this does not mean it was not a fair hearing.

Scheduled speaker Ms. Margo Murman withdrew her request to address the Board.

Mr. Daniel Wright addressed the Board on behalf of the Van de Kamp Coalition. He spoke regarding the July 15, 2009 Board meeting at which the Board considered the transfer of the Van de Kamp Satellite Campus from LACC to the District's administration and the lease of the \$61 million campus to non-community college lessees. He distributed e-mail messages regarding the constraints of the Van de Kamp Environmental Impact Report (EIR) and environmental review issues of the LACC Northeast Campus change in tenancy.

Ms. Linda Tong addressed the Board regarding the importance of the students to have a voice in issues that impact them such as the I-TAP and fee increases.

Ms. Rachael Richards addressed the Board with her concerns regarding ASO operations and other issues.

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 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 the Board of Trustees and action taken as indicated.

Report on Actions Taken in Closed Session – January 13, 2010

President Field 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 unanimously agreed to file an appeal in the case of *700 Wilshire v. Alliance Property, et al.*

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

Reports of Standing and Special Committees

None.

Com. No. BT1. Resolution – Black History Month

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

The following resolution is presented by Trustee Field :

The month of February is officially designated as Black History Month.

WHEREAS, For more than 400, years the presence of African-Americans in the United States has had an undeniable and profound impact upon its cultural, political, and social institutions; and

WHEREAS, For over 30 million people of African-American descent, the designation and observation of February as Black History Month represents the nation's acknowledgment of the contributions and continuing role of African-Americans within the United States; and

WHEREAS, Central to the role and history of African-Americans is the acquisition of a thorough and meaningful education which will provide the tools to design and control their own destiny, both economic and political; and

WHEREAS, Current figures and statistics indicate that there are still some challenges to sustaining enrollments of African-American students attending educational institutions, both pre- and postsecondary; and

WHEREAS, The "avenue of equal opportunity access to education" has been the basic premise around which the community colleges of California have acquired support and credibility; now, therefore, be it

RESOLVED, That the Board of Trustees of the Los Angeles Community College District reaffirms its commitment to egalitarian principles inherent within the term "community colleges" by supporting and enhancing those services, programs, and courses which will encourage African-Americans and other ethnic groups to enroll and attain their identified goals; and be it further

RESOLVED, That the Board of Trustees of the Los Angeles Community College District joins with the nation in celebrating February as Black History Month and encourages the District colleges and student organizations to promote cultural awareness by featuring various programs, exhibits, and other relevant activities and by participating in events sponsored by local communities.

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

Student Trustee Robinson announced that he would be representing the Board at the African American Conference at which African American students will be recognized for their accomplishments. The conference will be held on February 22, 2010 at Exposition Park.

Com. No. BT2. Resolution – Lunar New Year

Motion by Trustee Santiago, seconded by Trustee Scott-Hayes, to adopt Com. No. BT2. as follows:

The following resolution is presented by Trustee Santiago:

WHEREAS, February ushers in the Lunar New Year of 4708 – the Year of the Tiger; and

WHEREAS, People born in the Year of the Tiger are sensitive, philosophical, sympathetic, courageous, and powerful; and

WHEREAS, The Lunar New Year is of great significance and represents a major celebration for China and other Asian people throughout the world; and

WHEREAS, The Lunar New Year represents a number of important traditional social and cultural events, many of which have become customary to observe in the United States; and

WHEREAS, Immigration from Asian nations continues to be a source of population growth in the United States and provides a significant increase in the student population of the Los Angeles Community College District; and

WHEREAS, The celebration of the Lunar New Year is an occasion of reflection and thanksgiving; now, therefore, be it

RESOLVED, That the Board of Trustees of the Los Angeles Community College District does hereby offer its best wishes to all its students, staff, and constituents who observe the Lunar New Year; and be it further

RESOLVED, That the Board of Trustees of the Los Angeles Community College District encourages District colleges and student organizations to join the Lunar New Year celebration and promote cultural awareness by sponsoring art exhibits and cultural events and activities as well as by participating in the celebration of events sponsored by the colleges' local communities.

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

### Com. No. BT3. Conference Attendance Authorizations

President Field noted the following revisions:

- A. Authorize payment of necessary expenses for Mona Field, **Georgia L. Mercer**, and Sylvia Scott-Hayes, members of this Board of Trustees, to attend the Community College League of California Annual Legislative Conference to be held on January 24-25, 2010 in Sacramento, California. **Trustee Mercer's dates of travel will be January 22-25, 2010.**
- B. Authorize payment of necessary expenses for Mona Field, member of this Board of Trustees, to attend the Faculty Association of California Community Colleges (FACCC) Conference to be held on February 28 – March 1, 2010 in Sacramento, California.
- C. **Authorize payment of necessary expenses for Tina Park, member of this Board of Trustees, to attend the Community College League of California Effective Trusteeship Workshop to be held on January 22-24, 2010 in Sacramento, California.**

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to adopt Com. No. BT3. as amended.

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

### Com. No. BT4. Authorize Legislative Agenda Item

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to adopt Com. No. BT4.

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

## **REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS**

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 Interim Chancellor Wieder and action taken as indicated.

Interim Chancellor Wieder deferred to Mr. Marvin Martinez, Vice Chancellor, Economic and Workforce Development.

Mr. Martinez reported that this morning the United States Department of Labor presented a press release announcing that the LACCD is the recipient of a "Pathway Out of Poverty" grant for \$4 million. He indicated that the purpose of the grant is to prepare students for employment in the areas of energy efficiency, weatherization, and green retrofitting. The LACCD was also notified that it is part of a national grant funded by an agency entitled "Jobs for the Future." The goal of this grant is to prepare disadvantaged individuals for employment in the areas of energy efficiency, green retrofitting, and weatherization. This grant was funded at \$8 million. He commended Mr. Felicito "Chito" Cajayon, Dean, Resource and Economic Development, for writing the grants.

Trustee Scott-Hayes requested that the Board members be provided with specific information as to how much funding the colleges will receive from these types of grants.

Mr. Martinez indicated that he would provide this information.

### Update on Energy Financing

Interim Chancellor Wieder deferred to Ms. Jeanette Gordon, Chief Financial Officer/Treasurer.

Ms. Gordon presented an update regarding the efforts to obtain financing for the solar projects at Los Angeles Harbor College (LAHC) and Pierce College. She indicated that there will be a more detailed discussion regarding this issue at the regularly scheduled Board meeting of January 27, 2010.

Presentation and Public Hearing for the Los Angeles Trade-Technical College Master Plan Update and Environmental Impact Report Addendum

President Field declared the public hearing open for the Los Angeles Trade-Technical College (LATTC) Master Plan Update and Environmental Impact Report (EIR) Addendum.

Dr. Roland Chapdelaine, President, LATTC, distributed documents entitled "Addendum to the LATTC Thirty-Year Master Plan EIR" and "Campus Plan – Facilities Master Plan Review & Update – 2009." He introduced Mr. Jim Favaro, Principal, MDA Johnson Favaro.

Mr. Favaro gave a PowerPoint presentation regarding the LATTC Facilities Master Plan with respect to the various new and renovated buildings being constructed on the campus including the South Campus project, the Child Development Center, the Administration Building, the Learning Resource Center, and the Construction Technology Building.

Public Comment

None.

President Field declared the public hearing closed.

**CONSENT CALENDAR ITEMS**

**Matters Requiring a Majority Vote**

President Field entertained a motion to adopt the Consent Calendar Items as amended on Matters Requiring a Majority Vote, with the limitation that the Student Trustee's vote shall not apply to HRD1. and the Correspondence.

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to adopt the Consent Calendar Items as amended on matters requiring a majority vote.

President Field inquired if the Trustees have items that need clarification or separation for the vote.

The Trustees discussed the following Consent Calendar Items:

Com. No. BF1. Budget and Finance Routine Report

Com. No. BF2. Amend Board Rules 7503.10 Standard Mileage Rates and 10711. Transportation Cost

Com. No. BSD1. Business Services Routine Report

With respect to Roman Numeral II. Ratify Amendment to Service Agreements Items C. and D. as they relate to amendments to agreements with outside consulting firms to provide technical and functional support for the LACCD, Ms. Sandra Lepore, Executive Secretary, AFT College Staff Guild, expressed her concern that regular LACCD positions could be established to handle this type of work.

Dr. Adriana Barrera, Deputy Chancellor, indicated that in the SAP Information Technology unit there are eight or nine vacant positions. Due to the budget shortfall, these positions have been frozen. Internal discussions have been held regarding the budget and there is a recommendation to consider filling at least four of the vacant positions. Some of the funding for the contracts with outside consulting firms would be decreased in order to fund these positions. She further indicated that she would meet with the AFT College Staff Guild to explain the staffing plan. She stated that Senior Staff will try to make a final decision during the week of January 25, 2010 with respect to prioritizing the hiring into these positions.

Com. No. BSD2. Ratifications for Business Services

Dr. Barrera noted that Item D. Leases, Use Permits, and Civic Center Permits of District Facilities 4500120788 has been withdrawn as follows:

...

D. LEASES, USE PERMITS, AND CIVIC CENTER PERMITS OF DISTRICT FACILITIES

~~4500120788 City. Amendment to extend agreement with Agape Intercommunity Ministries Church Group for the use of 7 parking spaces in the Children's Center Parking Lot at 4311 Melrose Avenue on Sundays only from 4:00 p.m. to 8:00 p.m. at \$5.50 per space, increasing the total contract amount from \$3,190 to \$4,390, from November 30, 2009 to May 30, 2010. Total additional income: \$1,200.~~

**Withdrawn.**

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

With respect to Roman Numeral II. Authorize Amendment to Professional Services Agreements Item D. as it relates to an amendment to an agreement with Alliance to Save Energy to extend the expiration date by three months to September 30, 2010 at no additional cost to the District, Interim Chancellor Wieder requested that Mr. Larry Eisenberg, Executive Director, Facilities Planning and Development, provide the Board members with a detailed report within one month regarding the Alliance to Save Energy's Green Campus Program stating the number of students involved at each college, what the students learned, etc.

President Field requested that the Board members be provided with a report regarding all of the non-construction components of the sustainability projects such as educational programs, student awareness programs, etc.

Interim Chancellor Wieder indicated that she work with Mr. Eisenberg to prepare this report.

Mr. Eisenberg noted that Roman Numeral V. Authorize Construction Contracts Item B. has been withdrawn as follows:

...

V. AUTHORIZE CONSTRUCTION CONTRACTS

...

~~B. Authorize a contract with Miller Environmental to provide general construction services for the Science Complex Soil Remediation project at Los Angeles Harbor College at a cost of \$99,000. Consistent with Board Rule 7100.10 authorize the Executive Director of Facilities Planning and Development to authorize change orders of up to ten percent (10%), the maximum allowed by law without re-bidding, subject to subsequent Board ratification.~~

...

**Withdrawn.**

Mr. Eisenberg noted the following amendment:

VIII. AUTHORIZE AMENDMENT TO DESIGN-BUILD AGREEMENT

A. Authorize Amendment No. 1 to Agreement No. 31588 with Ameresco, Inc. to authorize spending authority for additional Design-Build services for Phase I of the Campus Improvements – Utilities Infrastructure (Central Plant) project at West Los Angeles College at a cost not to exceed \$5,780,103 inclusive of eligible reimbursable expenses.

Background: This agreement was authorized by the Board of Trustees on November 7, 2007 (Com. No. FPD1). Additional Design-Build services are required for the expansion of the Central Plant and extension of the chilled and heated water supply and return flow campus-wide for new and existing buildings. The Central Plant Expansion includes a third chiller and pump, cooling tower, twenty-four (24) Calmac ice storage tanks and four (4) boilers and pumps; re-working landscape irrigation at the cooling tower area; repair of damaged

conduits; furnish and install a control valve and wiring; provide additional engineering services for a pipe enclosure; and adding a third fan coil. Inclusive of this amendment, the total amount of this agreement is ~~\$13,553,765~~ **\$11,273,787**. Funding is through Proposition A/AA and Measure J Bond proceeds. Campus Improvements – Utilities Infrastructure 19W.7979.03.02, 39W.5979.03.02. Design and Construction Phases.

Com. No. FPD2. Master Procurement Agreements

Com. No. HRD1. Personnel Services Routine Actions

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

Correspondence

Accept recommended disposition of Correspondence.

*The Student Trustee's vote shall not apply to HRD1. and the Correspondence.*

*Student Trustee Advisory Vote: Aye (Robinson)*

*ADOPTED AS AMENDED: 7 Ayes*

**Matters Requiring a Super Majority Vote**

None.

**RECOMMENDATIONS FROM THE CHANCELLOR**

Public Hearing for the Authorization of a Resolution Ratifying Preliminary Findings and Making Updated Findings Regarding Renewable Energy Optimization Program

President Field declared the public hearing open for the authorization of a Resolution Ratifying Preliminary Findings and Making Updated Findings Regarding the Renewable Energy Optimization Program.

Mr. Eisenberg indicated that this item is a continuation of the District's Energy Conservation Program. The Board has authorized contracts with several firms to go to individual colleges and study their energy usage and conservation opportunities. He stated that this process is being done under what is known as a performance contract, which means that the particular firm will perform the work at their expense. The firm will be paid on an annual basis from the energy savings that the District achieves.

There was discussion regarding the performance contract process.

Public Comment

None.

President Field declared the public hearing closed.

Com. No. FPD3. Authorize a Resolution Ratifying Preliminary Findings and Making Updated Findings Regarding Renewable Energy Optimization Program

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to adopt Com. No. FPD3.

*Student Trustee Advisory Vote: Aye (Robinson)*

*ADOPTED: 7 Ayes*

**NOTICE REPORTS AND INFORMATIVES**

None.

**PUBLIC AGENDA REQUESTS (Category B)**

Oral Presentations

Ms. Kari Thumlert addressed the Board regarding the Pierce College ASO Constitution and Bylaws. She distributed a copy of her remarks, two pages from the Pierce College ASO Constitution, a page from the ASO website, and Article IV – Initiatives and Constitutional Amendments or Revisions Section A, which was taken from the ASO Constitution.

Ms. Miki Jackson addressed the Board regarding the District Citizens’ Oversight Committee.

Proposed Actions

None.

**ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS**

Trustee Pearlman announced that in approximately two months, she will be visiting Burkina Faso, which is the third poorest country in the world, to film a documentary. She indicated that this country was formerly known as Upper Volta. She requested donations of clothing, medicine, and school supplies for the people in Burkina Faso.

**ADJOURNMENT**

Motion by Trustee Mercer, seconded by Trustee Park, to adjourn.

Without objection, so ordered.

The regular meeting adjourned at 5:38 p.m.

TYREE WIEDER  
Interim Chancellor and Secretary of the Board of Trustees

By: \_\_\_\_\_  
Laurie Green  
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

\_\_\_\_\_  
Mona Field  
President of the Board

Date March 10, 2010