

# LOS ANGELES COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### MINUTES – REGULAR MEETING

Wednesday, October 20, 2010 • 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 11:40 a.m. with President Georgia L. Mercer presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Georgia L. Mercer, Tina Park, Nancy Pearlman, Miguel Santiago, and Sylvia Scott-Hayes.

Chancellor Daniel J. LaVista was present.

#### **RECESS TO COMMITTEE OF THE WHOLE**

Motion by Trustee Pearlman, seconded by Trustee Scott-Hayes, to recess to the Committee of the Whole.

*APPROVED: 7 Ayes*

President Mercer relinquished the gavel to First Vice President Santiago to chair the Committee of the Whole.

The regular meeting recessed to the Committee of the Whole at 11:41 a.m.

On roll call the following members were present: Kelly Candaele, Mona Field, Georgia L. Mercer, Tina Park, Nancy Pearlman, Miguel Santiago, and Sylvia Scott-Hayes.

#### **Public Speakers**

None.

#### **Legislative Update**

Chancellor LaVista presented opening remarks regarding the legislative process. He deferred to Mr. Patrick McCallum, President, McCallum Group, Inc.

A document entitled “Annual Legislative Progress Report 2010” was distributed.

Mr. McCallum gave a PowerPoint presentation and discussed the document with respect to budget strategy and results, legislative accomplishments, and issues for 2011.

A question and answer session was conducted regarding the Annual Legislative Progress Report.

#### **Adjournment**

Motion by Trustee Scott-Hayes, seconded by Trustee Field, to adjourn the Committee of the Whole.

*APPROVED: 7 Ayes*

The Committee of the Whole adjourned at 12:32 p.m.

First Vice President Santiago relinquished the gavel to President Mercer.

### **RECONVENE REGULAR MEETING**

The regular meeting of the Board of Trustees of the LACCD reconvened at 12:32 p.m. with President Georgia L. Mercer presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Georgia L. Mercer, Tina Park, Nancy Pearlman, Miguel Santiago, and Sylvia Scott-Hayes.

Chancellor Daniel J. LaVista was present.

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

None.

### **RECESS TO CLOSED SESSION**

Motion by Trustee Pearlman, seconded by Trustee Scott-Hayes, to recess to Closed Session in accordance with The Ralph M. Brown Act, Government Code sections 54950 et seq. to discuss the matters on the posted Closed Session agenda pursuant to Government Code section 54954.5 (Refer to Attachment “A” for Closed Session agenda).

*APPROVED: 7 Ayes*

The regular meeting recessed to Closed Session at 12:33 p.m.

### **RECONVENE REGULAR MEETING**

The regular meeting of the Board of Trustees of the LACCD reconvened at 3:06 p.m. with President Georgia L. Mercer presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Georgia L. Mercer, Tina Park, Nancy Pearlman, Miguel Santiago, and Sylvia Scott-Hayes.

Chancellor Daniel J. LaVista was present.

Trustee Scott-Hayes led the Pledge of Allegiance to the Flag.

### **OATH OF OFFICE**

Pursuant to the selection process for the Student Board Member adopted by the Board of Trustees of the Los Angeles Community College District on January 31, 1996, the results of the special elections of September 22 through September 23, 2010 resulted in a plurality of all votes and duly selected Linda L. Tong as the Student Member of the governing board of the Los Angeles Community College District.

Chancellor LaVista administered the Oath of Office to Ms. Tong.

Ms. Eva Jackson, Former Student Trustee, offered words of encouragement to Student Trustee Tong.

\* \* \*

There being no objection, Recognition of Cadet of the Year was taken out of order.

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

### **Recognition of Cadet of the Year**

Chancellor LaVista introduced Captain Ralph Webb, Community College Bureau, Los Angeles County Sheriff's Department.

Captain Webb introduced Sheriff Leroy Baca.

Captain Webb introduced the following cadets who were nominees for the *Cadet of the Year* Award:

Ms. Yesenia Madrigal, East Los Angeles College (ELAC); Mr. Yiwei Wang, Los Angeles Harbor College (LAHC); Ms. Rosa Polanco, Los Angeles Mission College (LAMC); Mr. Javier Gutierrez, Pierce College; Ms. Latosha Walker, Los Angeles Southwest College (LASC); Ms. Adriana Camacho, Los Angeles Trade-Technical College (LATTC); Ms. Anna Kiruazova, Los Angeles Valley College (LAVC); and Ms. Yaneth Guzman, West Los Angeles College (WLAC).

Sheriff Baca presented the *Cadet of the Year* Award to Mr. Robert Flores, Los Angeles City College (LACC).

\* \* \*

President Mercer presented a gift of appreciation to Dr. Adriana Barrera, Deputy Chancellor, for her efforts in implementing the redesigning of the first floor of the Educational Services Center.

\* \* \*

## **APPROVAL OF MINUTES**

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

Special Meeting and Closed Session – August 18, 2010  
Regular Meeting and Closed Session – October 6, 2010

*Student Trustee Advisory Vote: Abstain (Tong)*  
*APPROVED: 7 Ayes*

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

Ms. Velma Butler, President, AFT College Staff Guild Los Angeles, expressed her appreciation to Chancellor LaVista for attending the Executive Board meeting on September 29, 2010.

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

### **Oral Presentations**

Scheduled speaker Mr. Tramell Carter was not present.

The following individuals addressed the Board: Mr. L. Art Camarillo, Ms. Sheila Dharod, Mr. Jerome Rene Robinson, and Mr. Duke Russell.

Mr. Robinson distributed a memorandum entitled "Student Trustee Election Complaint" along with backup documents.

### **Proposed Actions**

None.

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

None.

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On behalf of the Board of Trustees, Chancellor LaVista expressed his gratitude to various architectural and contracting firms for their efforts in redesigning the first floor.

\* \* \*

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

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

### **Report on Actions Taken in Closed Session – October 20, 2010**

President Mercer 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 of Standing and Special Committees**

Trustee Pearlman reported on the morning's meeting of the Infrastructure Committee.

Trustee Santiago reported on the morning's Committee of the Whole meeting at which the topic discussed was the Legislative Update.

### **Com. No. BT1. Resolution – Veterans Day & National Veterans Awareness Week**

Motion by Trustee Santiago, seconded by Trustee Scott-Hayes, to adopt Com. No. BT1. as follows:

The following resolution is presented by Trustee Santiago:

- WHEREAS, Veterans Day has been proclaimed a national holiday on November 11, 2010 and all Americans are urged to observe November 7 through November 13, 2010 as National Veterans Awareness Week; and
- WHEREAS, Americans owe a great deal of gratitude to the men and women who have sacrificed for our liberty and for the security of our Nation; and
- WHEREAS, From the beaches of Normandy, the snows of Korea, and the jungles of Vietnam to the mountains of Afghanistan and the deserts of Iraq, our courageous veterans have sacrificed so that Americans and others can live in freedom; and
- WHEREAS, Thousands of veterans are currently enrolled throughout the Los Angeles Community College District, thousands have been enrolled in the past, and still more are expected to enroll in the future; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby salutes all veterans (students and staff) who have served and continue to serve in the Armed Forces as well as the generations of patriots who will serve our country in the future; and be it further

RESOLVED, That the Board of Trustees of the Los Angeles Community College District encourages the colleges to observe the week with appropriate educational activities to acknowledge the contributions made by veterans and urges all Americans to recognize their valor and sacrifices.

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

Com. No. BT2. Conference Attendance Authorization/Ratification

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

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

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

Motion by Trustee Scott-Hayes, seconded by Trustee Field, to adopt Com. No. BT3. 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, 2010 – September 30, 2010

LAST NAME	FIRST NAME	JOB CLASSIFICATION	YEARS OF SERVICE	LOCATION
1 Nash	Linda	Cashier	32	City
2 Chung	Peter C.W.	Instructional Assistant, Automotive Technology	14	Trade-Tech
3 Shapiro	Geri	SFP Director	5	Mission

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

Com. No. BT4. Resolution – Reappointment of Personnel Commissioner

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to adopt Com. No. BT4. as follows:

- WHEREAS, The State Chancellor’s procedures for nomination of Personnel Commissioners provide that, “in the instance of reappointment, when a well qualified Personnel Commissioner is available for reappointment and the Governing Board wishes to recommend reappointment, the open recruitment process need not be initiated. Instead, a public announcement of the intention to recommend reappointment of the Personnel Commissioner should be made at a meeting of the Governing Board”; and

- WHEREAS, Ms. Young Havens is uniquely qualified for service as a Personnel Commissioner of the Los Angeles Community College District, bringing a rich background of experience from working in all aspects of the Personnel Commission at the Los Angeles Unified School District (LAUSD) over the past thirteen years; Ms. Young Havens administers and oversees the Classification and Compensation Branch of the Personnel Commission; and
- WHEREAS, Ms. Young Havens has served the Los Angeles Community College District as a Personnel Commissioner since February 12, 2009; and
- WHEREAS, Ms. Young Havens has been instrumental in implementing changes and improvement in Personnel Commission operations; and
- WHEREAS, Ms. Young Havens has gained the respect and support of District administration, employees, union leadership and staff in carrying out the role of Personnel Commissioner; now, therefore, be it
- RESOLVED, That the Board of Trustees, Los Angeles Community College District does hereby announce its decision to recommend the reappointment of Ms. Ann Young Havens to serve as Personnel Commissioner.

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

Com. No. BT5. Resolution – Adopt a Fixed Hourly Rate Compensation Approach for the College Project Managers, Program Manager, and Master Service Agreements for Bond Program Activities

Motion by Trustee Santiago, seconded by Trustee Field, to adopt Com. No. BT5. as follows:

The following resolution is presented by Trustees Mercer and Santiago:

- WHEREAS, The Los Angeles Community College District has contracted for the management of Propositions A, AA, and Measure J projects (“Bond Management”); and
- WHEREAS, The Board of Trustees of the Los Angeles Community College District, sitting as Committee of the Whole on October 6, 2010, discussed with staff the approach for renewing the College Project Manager (“CPM”) contracts and the two compensation approaches utilized on the Program for the CPM firms, for the Program Manager and for the Master Service Agreements (“MSAs”) for professional services relating to Bond Management; and
- WHEREAS, The Board of Trustees desires stand-alone CPM contracts for the nine Colleges, and that the existing MSAs be utilized for district wide and on-call support services only; and
- WHEREAS, The Board of Trustees was briefed by staff on the advantages and disadvantages of the two compensation approaches; and
- WHEREAS, The Board of Trustees noted a number of advantages, including reduced program cost, increased efficiency in administration, and a more standardized method for the Fixed Hourly Rate compensation approach; and
- WHEREAS, The Board of Trustees seeks a consistent rate structure for all position classifications and firms as well as hourly rate amounts that are prescribed by contract and validated by a reputable third-party source as fair and appropriate for the greater Los Angeles area for Bond Management; now, therefore, be it

- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby endorses adoption of the Fixed Hourly Rate approach for the CPM firms, the Program Manager and the MSAs; and be it further
- RESOLVED, That staff is directed to present a report one year after implementation of the Fixed Hourly Rate compensation model examining the nature of the cost savings and to make recommendations as to necessary downward or upward adjustments to reflect average compensation levels in the architecture and construction industry.

*Student Trustee Advisory Vote: Abstain (Tong)*  
*ADOPTED: 7 Ayes*

Com. No. BT6. Resolution – Require Competitive Selection Process for On-Call Assignments

Motion by Trustee Santiago, seconded by Trustee Scott-Hayes, to adopt Com. No. BT6. as follows:

The following resolution is presented by Trustees Mercer and Santiago:

- WHEREAS, The Los Angeles Community College District competed and subsequently awarded ten Master Service Agreements to provide for certain management services on the Bond Program; and
- WHEREAS, Those agreements significantly increased the number of professional service firms participating on the Bond Program and enabled the District to obtain needed services more swiftly from a broader pool; and
- WHEREAS, Those agreements consisted of two components: (i) College Project Management (CPM) firm services for Measure J projects from the nine firms currently assigned to the nine District Colleges, and (ii) district wide and on-call support services from any of the more than 100 prime, sub-consultant, small, emerging and local firms contracted under the ten Master Service Agreements; and
- WHEREAS, The CPM firms were previously responsible for the staffing of the CPM component of the Master Service Agreements; and
- WHEREAS, More than 100 total firms contracted under the ten Master Service Agreements compete for on-call assignments, and
- WHEREAS, Specialized services have been awarded based on qualifications and other suitable considerations; and
- WHEREAS, The Board of Trustees desires to establish a policy to require an open and competitive selection process for the district wide and on-call portion of the Master Service Agreements when possible; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby declares that an open and competitive process will be used for new assignments of work under the Master Service Agreements, except where there is a written rationale that articulates an appropriate basis, as determined by the Chancellor or his designee, for assignment without such a process.

There was discussion regarding the competitive selection process for on-call assignments.

Motion by Trustee Santiago, seconded by Trustee Scott-Hayes, to amend Com. No. BT6. as follows:

...

WHEREAS, The Board of Trustees desires to establish a policy to require an open and competitive selection process for the district wide and on-call portion of the Master Service Agreements **when possible except where there is a written rationale for an appropriate basis**; now, therefore, be it

RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby declares that an open and competitive process will be used for new assignments of work under the Master Service Agreements, except where there is a written rationale that articulates an appropriate basis, as determined by the Chancellor or his designee, for assignment without such a process.

*Student Trustee Advisory Vote: Abstain (Tong)*

AMENDMENT APPROVED: 4 Ayes (Candaele, Park, Pearlman, Santiago)  
3 Noes (Field, Mercer, Scott-Hayes)

*Student Trustee Advisory Vote: Abstain (Tong)*

ADOPTED AS AMENDED: 7 Ayes

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

### **Comments from the Chancellor Regarding District Activities and Upcoming Issues**

Chancellor LaVista presented a video of the Van de Kamp Innovation Center dedication event that was held on October 13, 2010.

### **Recognition of Cadet of the Year**

This item was taken out of order and conducted earlier in today's meeting.

### **Presentation on Pierce College's College Fair Extraordinaire**

Prior to making her presentation, Dr. Kathleen Burke-Kelly, President, Pierce College, stated that on Friday, October 15, 2010, the Pierce College Women's Soccer Team and Women's Volleyball Team wore pink ribbons in recognition of Breast Cancer Awareness Month. The two teams raised a total of \$500, which will be donated to Susan G. Komen for the Cure.

A document entitled "College Fair Extraordinaire" was distributed. This document outlines the workshops for high school students that were presented by various Los Angeles Unified School District (LAUSD) District 1 high schools at the event hosted by Pierce College on September 11, 2010.

Dr. Burke-Kelly gave a PowerPoint presentation regarding the College Fair Extraordinaire.

## **CONSENT CALENDAR ITEMS**

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

President Mercer 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., HRD2., ISD2., PC1., and the Correspondence, and with the exception of Com. No. FPD2. which is being separated for the vote.

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

President Mercer 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 Revisions and Appropriation Transfers**

Com. No. BF2. Adoption of 2011-2012 Budget Development Calendar

Com. No. BF3. Adopt Resolution for Assignment of Delinquent Tax Receivables to the State of California

Com. No. BSD1. Ratifications for Business Services

Com. No. BSD2. Business Services Routine Report

Dr. Barrera noted the following amendment:

...

II. RATIFY AMENDMENT TO AGREEMENT

**Withdrawn.**

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

Mr. Thomas Hall, Director, Facilities Planning and Development, noted the following amendment:

...

IX. AUTHORIZE IMPLEMENTATION OF DESIGN-BUILD SYSTEM OF PROJECT DELIVERY

**Withdrawn.**

Com. No. FPD2. Multi-Campus Photovoltaic Solar Energy Systems

Mr. Larry Eisenberg, Executive Director, Facilities Planning and Development, distributed a document entitled "Summary of Multi-Campus Photovoltaic Solar Energy Systems Structure at Pierce, Valley, and Van de Kamp (FPD2)" and discussed its contents. He deferred to Mr. Lloyd Silberstein, Program Director, Build—LACCD.

Mr. Silberstein discussed the document with respect to incentives and costs.

Ms. Laura Gutierrez and Ms. Miki Jackson addressed the Board regarding Com. No. FPD2.

Ms. Gutierrez distributed a series of e-mails regarding the LACCD renewable energy contracts with Chevron.

Ms. Jackson distributed the LACC Collegian newspaper, which includes an article entitled "Van de Kamps Coalition Angered by Offensive E-mail."

Com. No. HRD1. Personnel Services Routine Actions

Com. No. HRD2. Authorize Presidential Selection Process for Los Angeles Mission College

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

Com. No. ISD2. Student Discipline – Permanent Expulsion

Com. No. PC1. Personnel Commission Action

## Correspondence

Accept recommended disposition of Correspondence.

*The Student Trustee's vote shall not apply to HRD1., HRD2., ISD2., PC1., and the Correspondence.*

*Student Trustee Advisory Vote: Aye (Tong)*

*ADOPTED AS AMENDED WITH THE EXCEPTION OF COM. NO. FPD2.: 7 Ayes*

## Com. No. FPD2. Multi-Campus Photovoltaic Solar Energy Systems

*Student Trustee Advisory Vote: Aye (Tong)*

*ADOPTED: 6 Ayes (Candaele, Field, Mercer, Park, Santiago, Scott-Hayes)*

*1 Abstention (Pearlman)*

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

None.

## **RECOMMENDATIONS FROM THE CHANCELLOR**

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

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

### Com. No. CH2. Authorize Resolution Renaming Room 201 at Los Angeles Mission College's Health, Fitness, and Athletics Complex as The Katbi Room

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to adopt Com. Nos. CH1. and CH2.

*Student Trustee Advisory Vote: Aye (Tong)*

*ADOPTED: 7 Ayes*

### Public Hearing on Resolution to Convey Easement to the Los Angeles Department of Water and Power

President Mercer declared the public hearing open regarding the Resolution to Convey Easement to the Los Angeles Department of Water and Power.

### Public Comment

None.

President Mercer declared the public hearing closed.

### Com. No. FPD3. Adopt Resolution to Convey Service Easement to the Los Angeles Department of Water and Power

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

*Student Trustee Advisory Vote: Aye (Tong)*

*ADOPTED: 7 Ayes*

## **NOTICE REPORTS AND INFORMATIVES**

### Com. No. ISD/A. [Informative] Notification of Student Travel

Presented by Chancellor LaVista.

**PUBLIC AGENDA REQUESTS (Category B)**

Oral Presentations

None.

Proposed Actions

None.

**ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS**

Dr. Roland Chapdelaine, President, LATTC, announced that the LATTC Foundation Annual Dinner will be held on Thursday, October 28, 2010. The honorees will include Mr. Tim Leiweke, President and CEO, Anschutz Entertainment Group; Mr. William Fujioka, CEO, County of Los Angeles; Dr. Chrysostomos L. Nikias, President, University of Southern California; Mr. David Sickler, Regional Director, Building Trades Council of California; and Mr. Gerardo Hacer, Alumnus, LATTC; Fine Artist: and Pegasus Creator.

**ADJOURNMENT**

There being no objection, the regular meeting was adjourned at 5:49 p.m.

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

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

APPROVED BY THE BOARD OF TRUSTEES:

\_\_\_\_\_  
Georgia L. Mercer  
President of the Board

Date \_\_\_\_\_ November 3, 2010