

# LOS ANGELES COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### MINUTES – REGULAR MEETING

Wednesday, October 21, 2009 • 12:30 p.m.

Pierce College • The Great Hall

6201 Winnetka Avenue • Woodland Hills, California 91371

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 12:30 p.m. with President Mona Field presiding.

On roll call the following members were present: Kelly G. Candaele, Mona Field, Tina Park, Nancy Pearlman, Absent: Georgia L. Mercer (arrived at 12:35 p.m.), Miguel Santiago (arrived at 12:35 p.m.), Sylvia Scott-Hayes (arrived at 12:35 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**

During the Closed Session, the Board will also discuss Johnson v. LACCD, et al.

Motion by Trustee Pearlman, seconded by Trustee Park, 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: 4 Ayes*

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

(Trustees Mercer, Santiago, and Scott-Hayes arrived at 12:35 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 3:30 p.m. with President Mona Field presiding.

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

Interim Chancellor Tyree Wieder was present.

Student Trustee Robinson led the Pledge of Allegiance to the Flag.

#### **WELCOMING REMARKS BY DR. JOY MCCASLIN, INTERIM PRESIDENT, PIERCE COLLEGE**

Dr. McCaslin welcomed the Board members to Pierce College.

## **APPROVAL OF MINUTES**

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

Regular Meeting and Closed Session – July 15, 2009  
Regular Meeting and Closed Session – July 29, 2009  
Regular Meeting and Closed Session – August 5, 2009

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

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

Mr. David Beaulieu, President, District Academic Senate (DAS), expressed his appreciation to the Board members who attended the DAS/District Leadership Summit that was held on October 2, 2009.

On behalf of Ms. Shani Simms, ASO President, Pierce College, Mr. Sina Ghiabi Hesari, ASO Senator, Pierce College, welcomed the Board members to Pierce College.

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

### **Oral Presentations**

President Field entertained a motion to allocate two minutes per speaker regarding Pierce College.

Motion by Trustee Mercer, seconded by Trustee Scott-Hayes, to allocate two minutes per speaker.

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

The following individuals addressed the Board with their concerns regarding the importance of maintaining the Pierce College Farm and the Equestrian Center:

Mr. Phil Merlin, Dr. Leland Shapiro, Ms. Mary Kaufman, Mr. Eric Cohen, Ms. Susan Eskander, Ms. Joan Blank, Mr. David Honda, Ms. Raizy Goffman, Ms. Deborah Tellgren, Miss Jacky Pineda, Mrs. Chris Rowe, Ms. Randi Katz, Ms. Elizabeth Parks, Ms. Kelli Land, and Mrs. Shirley Blessing.

Dr. Shapiro and Mrs. Rowe distributed copies of their remarks.

Scheduled speaker Mr. Jeff John was not present.

Dr. McCaslin indicated that the Equestrian Center and the Pierce College Farm will not be closed. She stated that Pierce College has constructed a new Center for the Sciences facility that will house the Department of Life Sciences and the Veterinary Technology Program. She deferred to Mr. Nabil Abu-Ghazaleh, Vice President, Academic Affairs, Pierce College.

Mr. Abu-Ghazaleh addressed the concerns expressed by the speakers regarding the Pierce College Farm and the Equestrian Center. He indicated that the Center for the Sciences is tentatively scheduled to open during late spring of 2010.

Trustee Pearlman inquired if the new facility when completed could be leased or rented for equestrian events. She also inquired if there will be a plan with the Sheriff's Department for rescue operations.

Dr. McCaslin indicated that she will research these issues and provide a response.

Trustee Pearlman inquired as to whether the fence issue that was discussed in the Request for Proposal (RFP) is going to be presented to the Infrastructure Committee. She recommended that the various issues be discussed at a community forum. She requested that a community forum be held and indicated that she would be willing to attend.

Dr. McCaslin indicated that the RFP was withdrawn so that the fence issue could be studied in order to determine the ramifications in terms of water and drainage.

Trustee Pearlman inquired if this would be presented to the Infrastructure Committee.

Mr. Thomas Hall, Director, Facilities Planning and Development, responded that this would be a management decision.

Trustee Pearlman requested that this issue be presented to the Infrastructure Committee as a special item.

Ms. Camella Williams addressed the Board with her concerns regarding an art project that was assigned for homework at Los Angeles Trade-Technical College (LATTC), which the African American students in the class felt was racially inappropriate and offensive.

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

Dr. Roland Chapdelaine, President, LATTC, discussed the actions that were taken to resolve this issue. He indicated that a report will be completed and will be made available on Monday, October 26, 2009.

Ms. Kari Thumlert addressed the Board with her concerns regarding requests for public information that she has initiated.

#### 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 – October 21, 2009

President Field indicated that The Ralph M. Brown Act requires that certain matters be reported from the Closed Session be reported during the public session that follows.

The Board took no actions required to be reported.

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

Mr. Carl Friedlander, President, Los Angeles College Faculty Guild, addressed the Board regarding a former LACCD part-time faculty member who did not receive any notice that she was losing her health benefits. He expressed his concern that there have been several similar incidents involving part-time faculty members.

Dr. Adriana Barrera, Deputy Chancellor, discussed possible solutions to this issue.

\* \* \*

(Trustee Santiago left at 4:55 p.m.)

Reports of Standing and Special Committees

None.

Com. No. BT1. Conference Attendance Ratification/Authorizations

Motion by Trustee Mercer, seconded by Trustee Scott-Hayes, to adopt Com. No. BT1.

*Student Trustee Advisory Vote: Aye (Robinson)*

*ADOPTED: 6 Ayes*

Com. No. BT2. Resolution – Veterans Day & National Veterans Awareness Week

Motion by Student Trustee Robinson, seconded by Trustee Mercer, to adopt Com. No. BT2. as follows:

The following resolution is presented by Student Trustee Robinson:

- WHEREAS, Veterans Day has been proclaimed a national holiday on November 11, 2009 and all Americans are urged to observe November 8 through November 14, 2009 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 (Robinson)*

*ADOPTED: 6 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.

(Trustee Santiago returned at 5:03 p.m.)

Mr. Ernest Moreno, President, East Los Angeles College (ELAC), distributed a draft document entitled "Energy Oversight Committee Report" and discussed the contents with respect to new technologies for the central plants and thermal energy storage systems.

There was discussion regarding the draft document with respect to the funding that would be required.

Interim Chancellor Wieder indicated that she will review the report with the Bond Steering Committee on November 3, 2009.

## **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., HRD2., ISD2., ISD3., 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. Adoption of the 2010-2011 Budget Development Calendar

Com. No. BSD1. Business Services Routine Report

Com. No. BSD2. Ratifications for Business Services

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

Com. No. HRD1. Personnel Services Routine Actions

Dr. Barrera noted that Roman Numeral II. Suspension of Permanent Classified Employee has been withdrawn as follows:

...

### **II. ~~SUSPENSION OF PERMANENT CLASSIFIED EMPLOYEE~~**

~~The ten (10) days suspension of employee (EN797154), assigned to Los Angeles Trade-Technical College as a permanent Custodian, based on the following causes:~~

...

**Withdrawn.**

Com. No. HRD2. Authorize Extension of Employment Contracts for Executives

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

Com. No. ISD2. Student Disciplines – Permanent Expulsion

Com. No. ISD3. Ratification of Student Travel

## Correspondence

Accept recommended disposition of Correspondence.

*The Student Trustee's vote shall not apply to HRD1., HRD2., ISD2., ISD3., and the Correspondence.*

*Student Trustee Advisory Vote: Aye (Robinson)*

*ADOPTED: 7 Ayes*

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

None.

## **RECOMMENDATIONS FROM THE CHANCELLOR**

### Com. No. CH1. Authorize Broker for Owner-Controlled Insurance Program

Motion by Trustee Santiago, seconded by Trustee Mercer, to allocate three minutes per speaker regarding Com. No. CH1.

*Student Trustee Advisory Vote: No (Robinson)*

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

*1 No (Pearlman)*

The following individuals addressed the Board regarding Com. No. CH1. as it relates to authorizing an agreement with Aon Risk Insurances West, Inc.—as opposed to awarding the contract to Kaercher Campbell—to provide insurance brokerage services in the procurement of an Owner's Controller Insurance Policy (OCIP) for Bond Program construction and related activities for five years at a cost of \$1,875,896 inclusive of eligible reimbursable expenses:

Ms. Penni Campbell, Ms. Jolene Williams, Mr. Andrew T. Kugler, Mr. Kevin Ramsey, Ms. Dorothy Randle, Mr. Leroy Loseke, Ms. Ingrid Merriwether, Mr. Dennis Nash, Mr. Jim Holobaugh, Mr. Ken Caldwell, Mr. Roland Hall, and Mr. Mike Holzman.

Interim Chancellor Wieder indicated that the Board has the option of adopting Com. No. CH1. as presented or amending the item so that it is in the best interest of the LACCD.

There was discussion regarding Com. No. CH1. with respect to the cost of the insurance services and the importance of ensuring the safety of the construction workers at the Bond projects.

Ms. Camille Goulet, General Counsel, indicated that she has been advised by the Build—LACCD team that the fee for a one-year contract consistent with the proposal submitted by Aon would be \$446,222. She recommended that this amount be rounded off to \$450,000. She further stated that the Board could adopt Com. No. CH1. with amendments to the dollar amount and the time period.

There was discussion regarding the impact of changing the contract period to one year.

Motion by Trustee Pearlman, seconded by Student Trustee Robinson, to reconsider the vote on the original proposal that was taken at the Board meeting on September 23, 2009 and award the contract for the OCIP brokerage services to Kaercher Campbell and Merriwether & Williams.

President Field inquired if Ms. Goulet needs to present the original motion from September 23, 2009 at the regularly scheduled Board meeting of October 7, 2009.

Ms. Goulet responded in the affirmative.

President Field indicated that a yes vote means that the Board member wants the item to be brought back at the next Board meeting with the name Kaercher Campbell and their dollar amount.

*Student Trustee Advisory Vote: Aye (Robinson)*  
**MOTION FAILED:** 3 Ayes (Candaele, Pearlman, Scott-Hayes)  
4 Noes (Field, Mercer, Park, Santiago)

Motion by Trustee Mercer, seconded by Trustee Park, to adopt Com. No. CH1. as amended as follows:

Authorize an agreement with Aon Risk Insurances West, Inc. (Aon) to provide insurance brokerage services in the procurement of an Owner's Controller Insurance Policy (OCIP) for Bond Program construction and related activities for ~~five (5)~~ **one (1)** years at a cost of ~~\$1,875,896~~ **not to exceed \$450,000** inclusive of eligible reimbursable expenses.

President Field indicated that the dates of the contract are to be determined.

*Student Trustee Advisory Vote: No (Robinson)*  
**ADOPTED AS AMENDED:** 6 Ayes (Candaele, Field, Mercer, Park, Pearlman, Santiago)  
1 No (Scott-Hayes)

Com. No. CH2. Chancellor's Search

Motion by Trustee Mercer, seconded by Trustee Scott-Hayes, to adopt Com. No. CH2.

Mr. Curtis Smith, Second Vice President, AFT College Staff Guild Local 1521A, indicated that the voting members include two representatives from the classified employee bargaining units and requested that one of these be a representative from the AFT College Staff Guild.

Interim Chancellor Wieder indicated that she has not specified each individual classification on the Selection Committee.

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

**NOTICE REPORTS AND INFORMATIVES**

Com. No FPD/A. [Notice] Authorize Design and Engineering Services Agreement for Renewable Energy Projects

Noticed by Interim Chancellor Wieder.

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

Presented by Interim Chancellor Wieder.

**PUBLIC AGENDA REQUESTS (Category B)**

Oral Presentations

None.

Proposed Actions

None.

**ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS**

None.

**ADJOURNMENT**

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

Without objection, so ordered.

The regular meeting adjourned at 6:35 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 \_\_\_\_\_ January 13, 2010