

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, October 4, 2006 • 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 was called to order at 12:35 p.m. with President Michael D. Waxman presiding.

On roll call the following members were present: Warren T. Furutani, Nancy Pearlman, Sylvia Scott-Hayes, and Michael D. Waxman. Absent: Kelly G. Candaele (arrived at 12:45 p.m.), Mona Field (arrived at 12:36 p.m.), Georgia L. Mercer. Student Trustee Luis Gomez was not present (arrived at 1:15 p.m.).

Chancellor Darroch F. Young was present.

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

President Waxman stated that in accordance with The Ralph M. Brown Act, Mr. Sergio Rene Ramirez, a permanent classified employee assigned to Los Angeles Pierce College as a Stock Control Assistant, has requested that he be allowed to speak at the public session of the Board of Trustees. Mr. Ramirez was present.

Mr. Michael Shanahan, Associate Vice Chancellor, Employer-Employee Relations, explained what should occur with respect to the disciplinary case.

Ms. Camille Goulet, General Counsel, explained the process for dismissing a permanent classified employee.

Mr. Shanahan summarized the charges against Mr. Ramirez.

Mr. Troy Pierce addressed the Board as a character witness on behalf of Mr. Ramirez.

Mr. Ramirez addressed the Board regarding the charges against him. He distributed copies of his remarks.

RECESS TO CLOSED SESSION

During the Closed Session, the Board will not discuss the claim for health benefits by an employee at Pierce College.

Motion by Trustee Scott-Hayes, seconded by Trustee Field, 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: 5 Ayes

The regular meeting recessed to Closed Session at 12:45 p.m.

(Trustee Candaele arrived at 12:45 p.m.)
(Student Trustee Gomez arrived at 1:15 p.m.)

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the Los Angeles Community College District reconvened at 3:36 p.m. with President Michael D. Waxman presiding.

On roll call the following members were present: Kelly G. Candaele, Mona Field, Warren T. Furutani, Nancy Pearlman, Sylvia Scott-Hayes, and Michael D. Waxman. Absent: Georgia L. Mercer. Student Trustee Luis Gomez was present.

Chancellor Darroch F. Young was present.

Trustee Candaele offered the Opening Thoughts.

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

MINUTES

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

Regular Meeting and Closed Session – August 23, 2006
Regular Meeting and Closed Session – September 6, 2006

APPROVED: 6 Ayes

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

Mr. Leon Marzillier, President, District Academic Senate, reported on the District Academic Senate Leadership Summit that was held on September 29, 2006. He expressed his appreciation to Trustees Field and Scott-Hayes for participating.

PUBLIC AGENDA REQUESTS (CATEGORY A)

Oral Presentations

Mr. Ben Smith addressed the Board regarding the progress of the CALPIRG New Voters Project.

There was discussion regarding the District's voter registration efforts in conjunction with CALPIRG.

Trustee Field requested that the Board be kept informed regarding voter registration events at the campuses.

President Waxman requested that Mr. Smith coordinate with Ms. Carol Justiniano, Executive Secretary to the Board of Trustees, to get this information to the Trustees.

Proposed Actions

Mr. Duke Russell addressed the Board requesting that the Board of Trustees take action to use eminent domain and Proposition AA Bond money to buy out the LACC golf range lease.

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 of Actions Taken in Closed Session – October 4, 2006

President Waxman 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 this morning's Infrastructure Committee meeting at which there were presentations regarding the following projects:

- LASC – Design-Build Maintenance and Operations Building
- LASC – Design-Build Athletic Field House, Stadium
- LASC – Design-Build Student Services, Activity Center
- LASC – Design-Build Parking Structure, West Entry Drive and Parking Lot Facilities

Mr. Larry Eisenberg, Executive Director, Facilities Planning and Development, narrated a fly-through presentation regarding these projects.

* * *

Student Trustee Gomez reported on the Student Affairs Committee meeting of September 22, 2006. He indicated that eight of the nine colleges were represented. A vote was taken on the California Community Colleges Initiative with six in favor and two abstaining. He further stated that Mr. Ben Smith attended this meeting to discuss the CALPIRG New Voters Project.

Com. No. BT1. Resolution – State Eminent Domain Reform Initiative

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

The following resolution is presented by Trustees Waxman and Mercer:

- WHEREAS, The November 2006 statewide ballot includes a voter-generated initiative, known as Proposition 90, that will revise state laws on the use of eminent domain and public land use; and
- WHEREAS, Proposition 90 would change the basis for public entities to utilize eminent domain and require significant compensation to private property owners when land use laws and regulations are enacted that would change the development potential for any property in the State; and
- WHEREAS, The changes in law proposed by Proposition 90 would severely limit the ability of governmental entities to address severe redevelopment needs and create land use laws that are in the public interest; and
- WHEREAS, The Los Angeles Community College District has used its ability to take property through eminent domain on a very limited basis with great discretion and has fully compensated any property owner at the highest best-use value of their property; and
- WHEREAS, The Los Angeles Community College District needs the ability to use eminent domain as an ultimate tool of last resort to meet college real estate needs; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby urges the voters of the Los Angeles Community College District and all voters in the State of California to vote "No" on Proposition 90.

Student Trustee Advisory Vote: Aye (Gomez)
ADOPTED: 6 Ayes

Com. No. BT2. Conference Attendance Authorizations

President Waxman noted the following amendment:

- A. Authorize payment of necessary expenses for Luis Gomez, student member of this Board of Trustees, to attend the Los Angeles Community College District Associated Student Organization Leadership Institute to be held at Los Angeles Southwest College in Los Angeles, California on October 13, 2006.
- B. Authorize payment of necessary expenses for Georgia L. Mercer **and Nancy Pearlman**, members of this Board of Trustees, to attend the Community College League of California 2007 Annual Legislative Conference to be held in Sacramento, California on January 28-29, 2007.

Motion by Trustee Field, seconded by Trustee Candaele, to adopt Com. No. BT2. as amended.

Student Trustee Advisory Vote: Aye (Gomez)
ADOPTED AS AMENDED: 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 Chancellor Young and action taken as indicated.

Child Development Center Fee Schedule (ISD1)

Mr. John Clerx, Associate Vice Chancellor, Instructional and Student Support Services, introduced Mr. Michael Simone, Child Development Center Director, ELAC.

Mr. Simone summarized the revisions to the Child Development Center Fee Schedule, which will become effective on January 1, 2007. He indicated that the revised rate for students will range from \$0.75 to \$2.00 per hour and the revised rate for non-students will range from \$3.00 to \$5.00 per hour.

CONSENT CALENDAR ITEMS

Matters Requiring a Majority Vote

President Waxman entertained a motion to adopt the Consent Calendar Items as amended on Matters Requiring a Majority Vote, with the exception of Com. No. BSD1. Business Services Routine Report, Item VI. Ratify Lease Agreement A., and with the limitation that the Student Trustee's vote shall not apply to HRD1. ISD1., PC1., and the Correspondence.

Motion by Trustee Scott-Hayes, seconded by Trustee Field, to adopt the Consent Calendar Items as amended on Matters Requiring a Majority Vote, with the exception of Com. No. BSD1. Item VI. A.

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

The Trustees discussed the following Consent Calendar agenda items:

Com. No. BF1. Budget and Finance Routine Report

Com. No. BSD1. Business Services Routine Report

With respect to Roman Numeral IV. Ratify Professional Services Agreement as it relates to an agreement between the State of California Governor's Office of Emergency Services/Office of Homeland Security (OES/OHS) and the LACCD to enter into an Interjurisdictional Exchange Contract for the professional services of Mr. Francisco Quiambao, Trustee Scott-Hayes inquired as to how long this arrangement will continue.

Chancellor Young responded that this is a one-year arrangement and the situation will be reviewed after one year in order to determine what the circumstances are. He indicated that there is no commitment to an ongoing relationship. If the agreement is terminated, Mr. Quiambao could return as a Counselor in the District.

With respect to Roman Numeral VII. Ratify Contract Education Agreement as it relates to an agreement with the City of Alhambra Fire Department for ELAC to jointly provide mutually agreed-upon college degree and certificate educational courses in fire science and fire control technology for the City's Fire Department employees, Trustee Scott-Hayes inquired if ELAC has completed an academic plan of all the programs that will be offered.

Mr. Robert Isomoto, Interim President, ELAC, responded that the academic plan is still in progress.

Trustee Scott-Hayes requested a list of all the courses that will be offered under this agreement.

Mr. Isomoto indicated that he would provide this information.

With respect to Roman Numeral VI. Ratify Lease Agreement, Item A. as it relates to an agreement to provide housing at Pierce College for Mr. William F. Lander, Pierce College Equestrian Manager, Trustee Field inquired if this agreement is open to periodic open bidding or if this a long-time employee for whom the District is renewing an ongoing understanding.

Mr. Robert Garber, President, Pierce College, responded that Mr. Lander has been an employee at Pierce College for many years. Pierce College benefits by having him present on the campus to perform services and to tend to the animals during the evening hours and one day on the weekend.

Trustee Pearlman indicated that she cannot support Roman Numeral VI., Item A. due to issues and concerns that have been raised with respect to the Equestrian Center and requested that it be separated for the vote.

President Waxman indicated that Roman Numeral VI., Item A. would be separated for the vote.

With respect to Roman Numeral VIII. Authorize Payments, Item A. as it relates to a payment to Mr. Tony Tortorice, Chief Information Officer, Information Technology, as reimbursement for his purchase of a Google Mini-Search Appliance, Trustee Candaele inquired as to whether this item will be used for the entire department.

Mr. Tortorice responded that he mistakenly paid for this item with his personal credit card instead of the District's Cal-card account and is requesting reimbursement. He indicated that the appliance will enable searches on the District Office website.

Com. No. BSD2. Ratifications for Business Services and Facilities Planning

With respect to Item C. Service Agreements, Agreement Number 4500068021 as it relates to an amendment to renew an agreement with Hector Tovar to provide professional development and marketing plan services for the ELAC Stadium, Trustee Field inquired as to why the District needs to market the Stadium.

Mr. Isomoto responded that Mr. Tovar has provided ELAC with many opportunities to hold soccer games and other events at the Stadium, which have generated revenue for ELAC.

With respect to Item C. Agreement Number 4500080805 as it relates to an agreement with al Punto Advertising to assist with planning and multimedia services and develop an advertising campaign designed to increase enrollment at LAHC, Trustee Field inquired if this agreement is separate from the overall District agreement with al Punto Advertising.

Dr. Linda Spink, President, LAHC, indicated that the purpose of this agreement is for al Punto to help LAHC conduct a major recruitment effort in order to increase enrollment and help the college get out of its deficit mode.

Dr. Adriana Barrera, Senior Vice Chancellor, noted the following amendment:

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D. MAINTENANCE AGREEMENTS

Agreement Nos.: ... ~~4500065664 (Renew); 4500065846 (Renew)~~ - Withdrawn

(Total Cost: ~~\$66,227~~ \$64,227)

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BACKUP TO RATIFICATIONS (BSD2) FOR BUSINESS SERVICES, BUSINESS AND FINANCE, AND FACILITIES PLANNING AND DEVELOPMENT

...

D. MAINTENANCE AGREEMENTS

~~4500056664 Trade-Technical. Amendment to renew agreement with Image IV Systems to provide the maintenance on a copier located in the Admissions Office, increasing the contract total from \$1,000 to \$2,000 from November 7, 2005 to November 6, 2006, inclusive, for the second year of the agreement. Total additional cost: \$1,000.~~

~~4500065846 Trade-Technical. Amendment to renew agreement with Canon Business to provide the maintenance on a copier located in the EOP&S Office, increasing the contract total from \$1,000 to \$2,000 from November 1, 2005 to September 30, 2006, inclusive, for the second year of the agreement. Total additional cost: \$1,000.~~

Withdrawn.

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Com. No. BSD3. Adopt Resolutions for Board Member Elections

Trustee Pearlman expressed her concern regarding the Los Angeles City rules requiring 1,000 signatures for individuals who want to run for one of the Board of Trustee offices. She inquired if the Los Angeles City rules have to be followed entirely or if a variation of the rules can be adopted with the same effect.

Ms. Camille Goulet, General Counsel, responded that consolidating the Board of Trustees elections with the City of Los Angeles elections saves the District money because the District pays only a marginal cost for its election. Because the District consolidates with the City, the District is required to follow the City's rules.

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

With respect to Roman Numeral I. Authorize Professional Services Agreements, Item B. as it relates to an agreement with Pickett & Associates to provide outreach consulting services for the Proposition A/AA Bond Program, Trustee Field inquired as to which firm Pickett & Associates is replacing.

Mr. Eisenberg responded that Pickett & Associates is not replacing another firm. They formerly worked with JGM but decided to become an independent consultant. The contract cost has not changed.

Trustee Scott-Hayes requested that the Board be provided with reports on a quarterly basis regarding the outreach services that are being provided by the various firms.

Mr. Eisenberg indicated that he would provide the Board with copies of a report that was presented to the District Citizens' Oversight Committee and will present future updates on a quarterly basis.

Com. No. HRD1. Personnel Services Routine Actions

Roman Numeral II. Dismissal of Permanent Classified Employee was separated for the vote.

There being no objection, Roman Numeral II. was separated for the vote.

Com. No. ISD1. Approve Attached Revisions to Child Development Fee Schedule (Effective January 1, 2007)

Com. No. ISD2. Ratification of Student Travel

Com. No. PC1. Personnel Commission Actions

Accept Recommended Disposition of Correspondence

Student Trustee Advisory Vote: Aye (Gomez)

ADOPTED AS AMENDED: 6 Ayes

Com. No. BSD1. Business Services Routine Report, Item VI. Ratify Lease Agreement A.

Motion by Trustee Furutani, seconded by Trustee Scott-Hayes, to adopt Com. No. BSD1. Item VI. A., which was separated for the vote.

Student Trustee Advisory Vote: Aye (Gomez)

ADOPTED: 5 Ayes (Candaele, Field, Furutani, Scott-Hayes, Waxman)

1 Abstention (Pearlman)

Com. No. HRD1. Personnel Services Routine Actions, Item II. Dismissal of Permanent Classified Employee

ADOPTED: 5 Ayes (Candaele, Field, Furutani, Pearlman, Waxman)

1 No (Scott-Hayes)

Matters Requiring a Super Majority Vote

None.

RECOMMENDATIONS FROM THE CHANCELLOR

None.

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Dr. Steve Maradian, President, LACC, introduced Mr. Brian Albert and Mr. Sergio Orta from The Collegian.

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NOTICE REPORTS AND INFORMATIVES

Com. No. BT/A. Informative – Board Meeting Calendar – Changes in Meeting Locations

Presented by Chancellor Young.

Com. No. BF/A. Notice – Adoption of the ~~2005-2006~~ 2007-2008 Budget Development Calendar

Noticed by Chancellor Young.

PUBLIC AGENDA REQUESTS (Category B)

Oral Presentations

None.

Proposed Actions

None.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

Trustee Scott-Hayes requested that the Board be provided with a complete report regarding student tutor pay in the District.

Chancellor Young indicated that he would have this report prepared and provided to the Board.

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Dr. Maradian announced that starting on Friday, October 6, 2006, LACC will present two one-act plays—one on Afghanistan and the other on Iraq. The plays will be held in the small theater at LACC.

* * *

Mr. Garber announced that on Sunday, October 15, 2006, Pierce College will host “The Day of the Child,” an event at which students will spend the day serving as mentors for foster children.

ADJOURNMENT

Motion by Trustee Scott-Hayes, seconded by Trustee Field, to adjourn.

Without objection, so ordered.

APPROVED: 6 Ayes

The regular meeting adjourned at 4:54 p.m.

DARROCH F. YOUNG
Chancellor and Secretary of the Board of Trustees

By: _____
Laurie Green
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Michael D. Waxman
President of the Board

Date _____ November 1, 2006