

# LOS ANGELES COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### MINUTES – REGULAR MEETING

Wednesday, October 6, 2010 • 10:30 a.m.

Los Angeles Valley College

Committee of the Whole – Cafeteria Conference Room

Regular Meeting – Monarch Hall • Campus Center

5800 Fulton Avenue • Valley Glen, California 91401

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order in the Cafeteria Conference Room at 10:31 a.m. with President Georgia L. Mercer presiding.

On roll call the following members were present: Mona Field, Georgia L. Mercer, Tina Park, Miguel Santiago, and Sylvia Scott-Hayes. Absent: Kelly Candaele (arrived at 10:34 a.m.) and Nancy Pearlman (arrived at 10:36 a.m.). Interim Student Trustee Rodney D. Robinson was not present (arrived at 3:25 p.m.).

Chancellor Daniel J. LaVista was present.

### **RECESS TO COMMITTEE OF THE WHOLE – CAFETERIA CONFERENCE ROOM**

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

*APPROVED: 5 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 10:32 a.m.

The following members were present: Mona Field, Georgia L. Mercer, Tina Park, Miguel Santiago, and Sylvia Scott-Hayes. Absent: Kelly Candaele and Nancy Pearlman. Interim Student Trustee Rodney D. Robinson was not present (arrived at 3:25 p.m.).

### Public Speakers

None.

(Trustee Candaele arrived at 10:34 a.m.)

Chancellor LaVista introduced Mr. Lloyd Silberstein, Program Director, Build—LACCD.

Mr. Silberstein distributed a memorandum entitled “CPM Contracting Strategy and Management Services Compensation.”

(Trustee Pearlman arrived at 10:36 a.m.)

Mr. Silberstein discussed the document with respect to expired and new College Project Manager (CPM) contracts, the comparison of the two bond program compensation approaches, the recommended compensation approach and implementation, and the basis of the fixed hourly rate schedule and amounts.

A question and answer session was conducted regarding the memorandum.

Motion by Trustee Scott-Hayes, seconded by Trustee Pearlman, to present a set of policy recommendations for action at the regularly scheduled Board meeting of October 20, 2010.

*APPROVED: 7 Ayes*

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to direct staff to draft proposed contracts for consideration by the Board.

*APPROVED: 7 Ayes*

#### Bond Program Update

A document entitled "LACCD Bond Program Status Report" was distributed.

Mr. Silberstein gave a PowerPoint presentation regarding the "LACCD Bond Program Status Report" and a question and answer session was conducted.

#### 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 11:31 a.m.

First Vice President Santiago relinquished the gavel to President Mercer.

#### **COLLEGE PROGRAM PRESENTATION/TOUR (11:30 a.m. – 12:15 p.m.)**

A program presentation and tour of the Child Development Center Building was conducted.

#### **RECONVENE REGULAR MEETING**

The regular meeting of the Board of Trustees of the LACCD reconvened at 12:30 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. Interim Student Trustee Rodney D. Robinson was not present (arrived at 3:25 p.m.).

Chancellor Daniel J. LaVista 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 be giving directions to its real property negotiators, Mr. Larry Eisenberg and Dr. Adriana Barrera, on the price and terms of payment for lease to the City of Los Angeles. The property is approximately one-third of the space of the Bakery Building at the Van de Kamp Innovation Center.

In addition to this matter being announced as allowed by The Ralph M. Brown Act, the Board hereby makes a two-thirds finding, or a unanimous finding if there are only four present, that the need for this discussion came to the attention of the District after the posting of the regular agenda, and there is a need for immediate action.

Motion by Trustee Field, seconded by Trustee Santiago, to recess to Closed Session pursuant to The Ralph M. Brown Act to discuss the matters as posted and announced, and to make the findings as stated (see Attachment A).

*APPROVED: 7 Ayes*

The regular meeting recessed to Closed Session at 12:32 p.m.

(Interim Student Trustee Robinson arrived at 3:25 p.m.)

### **RECONVENE REGULAR MEETING**

The regular meeting of the Board of Trustees of the LACCD reconvened at 3:36 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. Interim Student Trustee Rodney D. Robinson was present.

Chancellor Daniel J. LaVista was present.

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

### **WELCOMING REMARKS BY DR. A. SUSAN CARLEO, PRESIDENT, LOS ANGELES VALLEY COLLEGE**

Chancellor LaVista introduced Dr. Carleo, President, Los Angeles Valley College (LAVC).

Dr. Carleo introduced the following individuals from LAVC, each of whom welcomed the Board members to the College: Ms. Hanna Matevosyan, ASU President; Mr. Donald Gauthier, Academic Senate President; Mr. Larry Nakamura, AFT Chapter President; Ms. Cynthia Maddren, AFT Staff Chapter Chair; Ms. Mary John, Assistant Bookstore Manager, and Second Vice President, SEIU Local 721; and Ms. Annie Goldman-Reed, Representative, Teamsters Local 911.

Dr. Carleo also acknowledged the following individuals from LAVC: Dr. Sandra Mayo, Vice President, Academic Affairs; Mr. Thomas Jacobsmeyer, Vice President, Administrative Services; Mr. Florentino Manzano, Acting Vice President, Student Services; and Ms. Maggie Lopez, Executive Assistant to the President.

### **APPROVAL OF MINUTES**

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

Regular Meeting and Closed Session – August 25, 2010  
Regular Meeting and Closed Session – September 1, 2010  
Regular Meeting and Closed Session – September 15, 2010

*Interim Student Trustee Advisory Vote: Aye (Robinson)*

*APPROVED: 7 Ayes*

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

The following representatives reported from the Resource Table: Ms. Joanne Waddell, President, Los Angeles College Faculty Guild; Mr. David Beaulieu, President, District Academic Senate; and Ms. Velma Butler, President, AFT College Staff Guild Los Angeles.

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

### **Oral Presentations**

President Mercer read the cautionary language for speakers.

The following individuals addressed the Board: Mr. Monte Thrasher, Mrs. Norma Ramirez, Mr. Eugene Hernandez, and Mr. Charles Herbertson.

### **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 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 6, 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.

With regard to Culver City et al. v. LACCD, the Board approved an amendment to a 2005 settlement agreement, to provide certain changes to mitigation measures arising from the campus development. A copy of the settlement agreement is available from the General Counsel. The vote was unanimous.

With regard to a claim for construction work at Los Angeles City College, the Board approved a settlement with Studios Architecture for \$205,350 in partial resolution of claims. A copy of the settlement agreement is available from the General Counsel. The vote was unanimous.

With regard to a claim for construction work at Los Angeles Harbor College, the Board approved a settlement with Madison Paving for \$144,000 in resolution of all claims. A copy of the settlement agreement is available from the General Counsel. The vote was unanimous.

With regard to the Portola property acquisition, the Board approved a revision to the purchase and sale agreement to include the extension of limited indemnity arising from the case of Van de Kamps Coalition v. LACCD to include the case of Marijane Jackson et al. v. LACCD et al. The vote was six in favor with Trustee Santiago abstaining.

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

### **Reports of Standing and Special Committees**

Trustee Scott-Hayes reported on the morning's meeting of the Planning and Student Success Committee.

Trustee Santiago reported on the morning's Committee of the Whole meeting at which the topics discussed were (1) CPM Contracting Strategy and Management Services Compensation and (2) Bond Program Update.

Com. No. BT1. Conference Attendance Ratification

President Mercer indicated that Com. No. BT1. was being withdrawn.

**Withdrawn.**

\* \* \*

Ms. Laura Gutierrez and Ms. Miki Jackson addressed the Board regarding the Van de Kamp Innovation Center.

Ms. Gutierrez distributed a document entitled "Latino Legislative Caucus Press Releases."

**REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS**

Comments from the Chancellor Regarding District Activities and Upcoming Issues

Chancellor LaVista discussed the achievements of Mr. Kyle Ballew, Student/Athlete, LAVC, who on March 19, 2010 set a school pole vault record of 16 feet 8-3/4 inches. He further stated that Mr. Bello has earned a 4.0 GPA in his first semester at LAVC.

Ms. Deidra Stark, Athletic Director, LAVC, introduced Mr. Ballew.

Mr. Ballew expressed his appreciation for the recognition. He discussed his future academic plans.

Presentation on Los Angeles Valley College's Student Success Initiatives

A document entitled "STARS (Strategic Team for the Advancement and Retention of Students)" was distributed.

Mr. Scott Weigand and Ms. Deborah Kaye, Faculty Members, LAVC, gave a PowerPoint presentation regarding the STARS program. A video regarding one student's experiences in the STARS program was presented.

**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 Interim Student Trustee's vote shall not apply to HRD1., HRD2., 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.

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. BF3. Resolution Authorizing the Borrowing of Tax and Revenue Anticipation Notes (TRANS)

Com. No. BSD1. Business Services Routine Report

Com. No. BSD2. Ratifications for Business Services

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

The following items were withdrawn due to the need for further clarification:

Roman Numeral I. Authorize Professional Services Agreements Items A. and C.  
Roman Numeral III. Authorize Amendment to Professional Services Agreement Item A.

**Roman Numeral I. Items A. and C. and Roman Numeral III. Item A.: withdrawn.**

Com. No. FPD2. Authorize Master Procurement Agreements

Com. No. HRD1. Personnel Services Routine Actions

Com. No. HRD2. Authorize Employment Actions for Executives

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

Com. No. PC1. Personnel Commission Actions

Correspondence

Accept recommended disposition of Correspondence.

*The Interim Student Trustee's vote shall not apply to HRD1., HRD2., PC1., and the Correspondence.  
Interim Student Trustee Advisory Vote: Aye (Robinson)  
ADOPTED AS AMENDED: 7 Ayes*

**Matters Requiring a Super Majority Vote**

Com. No. BF2. 2010-2011 Budget Adjustments

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

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to adopt Com. Nos. BF2. and FPD3.

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

**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. Establishment of the Office of Inspector General

Motion by Trustee Santiago, seconded by Trustee Scott-Hayes, to adopt Com. No. CH1.

Chancellor LaVista indicated that a professional services agreement is being recommended under which Policy Masters, Inc. would be hired to implement the Office of Inspector General and whistle-blower program. Ms. Christine Marez, President and CEO, Policy Masters, Inc. will oversee the Inspector General and whistle-blower programs.

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

Ms. Marez expressed her appreciation for the selection of her firm and indicated that she looks forward to working with the District.

Public Hearing on Resolution to Convey Easement to Southern California Edison Company

President Mercer declared the public hearing open regarding the Resolution to Convey Easement to Southern California Edison Company.

Mr. Larry Eisenberg, Executive Director, Facilities Planning and Development, explained the resolution.

Public Comment

None.

President Mercer declared the public hearing closed.

Com. No. FPD4. Adopt Resolution to Convey Easement to Southern California Edison Company

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to adopt Com. No. FPD4.

*Interim Student Trustee Advisory Vote: Aye (Robinson)*

*ADOPTED: 7 Ayes*

**NOTICE REPORTS AND INFORMATIVES**

Com. No. BF/A. [Notice] Adoption of the 2011-2012 Budget Development Calendar

Noticed by Chancellor LaVista.

**PUBLIC AGENDA REQUESTS (Category B)**

Oral Presentations

None.

Proposed Actions

None.

**ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS**

Trustee Field announced that Interim Student Trustee Robinson has been awarded a scholarship by the Legislative African American Caucus.

Ms. Judith Valles, President, Los Angeles Mission College (LAMC), announced that the LAMC Health, Fitness, and Athletic Complex has been awarded top honors for design and construction by California Construction News.

**ADJOURNMENT**

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

Without objection, so ordered.

The regular meeting adjourned at 5:14 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 \_\_\_\_\_  
October 20, 2010