

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, October 7, 2009 • 10:00 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 10:24 a.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 not present (arrived at 2:00 p.m.).

Interim Chancellor Tyree Wieder was present.

RECESS TO COMMITTEE OF THE WHOLE

Motion by Trustee Mercer, seconded by Trustee Park, to recess to the Committee of the Whole.

APPROVED: 7 Ayes

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

The regular meeting recessed to the Committee of the Whole at 10:25 a.m.

Bond Program Overview

A packet of materials from Build—LACCD was distributed.

Mr. Larry Eisenberg, Executive Director, Facilities Planning and Development, presented a video regarding the District Citizens' Oversight Committee (DCOC) quarterly update with respect to current construction projects at the nine campuses.

Ms. Marcela Oliva, Professor of Architecture, Los Angeles Trade-Technical College (LATTC), gave a PowerPoint presentation regarding the LACCD Sustainable Program "A BioModel Mechanism for the Built Environment." A copy of this document is included in the packet of materials.

A binder containing LACCD Facilities Initiatives Reports was distributed.

Mr. Eisenberg discussed the following initiatives: Americans with Disabilities Act (ADA), Whole Building Commissioning, The Green Hive, Green Building Pages, and Hard Costs vs. Soft Costs.

Trustee Santiago requested that materials be provided to the Board members in advance of the Board meeting date so that they can prepare appropriate questions.

There was discussion regarding the Whole Building Commissioning Initiative.

Trustee Field requested that Mr. Eisenberg provide the Board with documentation as to which public agencies across the country are utilizing the Whole Building Commissioning Initiative as the new standard.

Trustee Field also requested that the Board be provided with information with respect to the utilization of the LACCD Showroom.

Mr. Eisenberg indicated that he would provide this information to the Board.

There was discussion regarding the Hard Costs vs. Soft Costs Initiative.

Mr. Eisenberg discussed a document from the packet of materials that outlines soft costs and hard costs Districtwide as well as for each individual college. He indicated that this report is updated on a monthly basis and is posted on the laccdbuildsgreen.org website.

With respect to the e7 Architecture Studio Initiative, Trustee Scott-Hayes requested that every individual who participates in the e7 internship program be verified as being currently enrolled as a student in the LACCD.

Mr. Eisenberg discussed a document from the packet of materials entitled "Billing Rates Briefing" with respect to the billing models that are used for District contracts.

Ms. Judy Johnson, Deputy of Operations, Build—LACCD, discussed the difference between an audited overhead rate and a stated overhead rate.

Mr. Eisenberg discussed a chart entitled "Multiplier Cost Rate Calculation (FAR-Based)" with respect to fringe benefits, general overhead, and operating expenses.

There was discussion regarding the "Billing Rates Briefing" document with respect to audited, stated, and District-imposed overhead rates.

Trustee Candaele requested that a review be conducted of the consultants that the District currently has in order to determine whether some of them can be eliminated without any loss of value to the Bond Program.

Interim Chancellor Wieder indicated that the District is in the process of interviewing some firms to conduct an organizational assessment that would include a review of the staff associated with Build—LACCD.

Trustee Field requested that the Board be provided as soon as possible with the policy change to set a cap of 2.0 on the multiplier cost rate and that the current firms be notified that a cap is being imposed.

Mr. Eisenberg indicated that this would be done within 30 days.

Trustee Mercer requested that the Board be provided with job descriptions for the various Build—LACCD Program Management staff members.

Interim Chancellor Wieder inquired as to whether a Board action would be required to set a cap of 2.0 on the multiplier cost rate.

Ms. Camille Goulet, General Counsel, responded that a Board action would be required. She indicated that the firms that are not willing to accept the cap would be terminated with a 30-day notice.

Public Speakers

None.

Adjournment

Motion by Trustee Pearlman, seconded by Trustee Field, to adjourn the Committee of the Whole.

APPROVED: 7 Ayes

The Committee of the Whole adjourned at 12:33 p.m.

Vice President Mercer relinquished the gavel to President Field.

(Trustees Pearlman and Scott-Hayes left at 12:33 p.m.)

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 12:34 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, and Miguel Santiago. Absent: Nancy Pearlman (returned at 12:46 p.m.) and Sylvia Scott-Hayes (returned at 12:46 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

Motion by Trustee Mercer, seconded by Trustee Santiago, 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 12:35 p.m.

(Trustees Pearlman and Scott-Hayes returned at 12:46 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 4:07 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, and Sylvia Scott-Hayes. Absent: Miguel Santiago (arrived at 4:09 p.m.). Student Trustee Rodney D. Robinson was present.

Interim Chancellor Tyree Wieder was present.

Trustee Mercer led the Pledge of Allegiance to the Flag.

(Trustee Santiago arrived at 4:09 p.m.)

APPROVAL OF MINUTES

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

Special Meeting – June 24, 2009

Student Trustee Advisory Vote: Aye (Robinson)

APPROVED: 7 Ayes

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

Special Meeting and Closed Session – June 30, 2009

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

* * *

President Field entertained a motion to take out of order Roman Numeral XV. Reports from the Chancellor and College Presidents, Recognition of Cadet of the Year.

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to take Roman Numeral XV. Recognition of Cadet of the Year out of order.

Student Trustee Advisory Vote: Aye (Robinson)
APPROVED: 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.

Recognition of Cadet of the Year

Captain Ralph Webb, Community College Bureau, Los Angeles County Sheriff's Department, introduced Chief Cecil Rambo who is representing Sheriff Leroy Baca.

Captain Webb discussed the background of Mr. Kevin Brandon, Student and Cadet, Pierce College.

Chief Rambo presented the *Cadet of the Year* Award to Mr. Brandon.

Chief Rambo introduced the following cadets who were nominees for the *Cadet of the Year* Award:

Mr. Robert Flores, Los Angeles City College (LACC); Mr. Jose Fonseca, East Los Angeles College (ELAC); Ms. Carmen Rubalcaba, Los Angeles Harbor College (LAHC); Mr. Luis Orozco, Los Angeles Mission College (LAMC); Ms. Cora Brown, Los Angeles Southwest College (LASC); Mr. Lester Houston, Los Angeles Trade-Technical College (LATTTC); Ms. Anna Kiruazova, Los Angeles Valley College (LAVC); and Ms. Karin Andrade, West Los Angeles College (WLAC).

President Field expressed her appreciation to the cadets for the assistance they provide when Board meetings are held on the campuses.

* * *

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

The following individuals reported from the Resource Table:

Ms. Velma Butler, President, AFT College Staff Guild, expressed her concern regarding a violation of the layoff process as it relates to an employee being transferred from LAHC to LATTTC.

PUBLIC AGENDA REQUESTS (Category A)

Oral Presentations

President Field entertained a motion to allocate four minutes per speaker regarding West Los Angeles College (WLAC).

Motion by Trustee Mercer, seconded by Student Trustee Robinson, to allocate four minutes per speaker.

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

The following individuals addressed the Board with their concerns regarding the WLAC Facilities Master Plan, the Memorandum of Understanding (MOU), and the effort to reach agreement on mitigation measures:

Mr. Michael Bauer, Mr. Ken Kutcher, Mr. John Kuechle, Mr. Elliot Axelband, and Mr. Paul Jacobs.

Mr. Kutcher distributed a copy of his remarks.

Dr. Mark Rocha, President, WLAC, discussed the efforts that have been made to work with the homeowners in Culver City to address their concerns.

Mr. Robert Miller and Mr. Leighton Hickman, Build—LACCD, discussed the efforts to mitigate the noise associated with the construction projects.

Mr. Jeffrey Hernandez and Mr. Steve Wardinski addressed the Board with their concerns regarding the ELAC budget reductions.

Dr. Tammy Robinson addressed the Board with her concerns regarding accusations that are being directed at Dr. Jamillah Moore, President, LACC, as a result of the budget reductions.

Mr. Earic Peters addressed the Board regarding the efforts to sustain the LACC Collegian newspaper despite the budget reductions.

Ms. Adriana Aguilar addressed the Board with her concerns regarding the impact of the ELAC budget reductions on the students.

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 7, 2009

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

Reports of Standing and Special Committees

Trustee Scott-Hayes reported on this morning's Legislative Affairs Committee meeting at which there was discussion regarding the state legislative outlook and suggested legislative items for 2010.

Trustee Mercer reported on this morning's Committee of the Whole meeting at which there was a video presentation and discussion regarding Bond Program construction projects and related issues.

(Trustee Park left at 5:20 p.m.)

Com. No. BT1. Resolution – Retirement Planning

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

The following resolution is presented by Trustee Field:

- WHEREAS, Los Angeles Community College District employees are busy working hard serving our students; and
- WHEREAS, Many individuals often do not realize the impact of one’s retirement until they reach that stage in life; and
- WHEREAS, Retirement presents change, challenges, and opportunities; and
- WHEREAS, Retirement requires planning for financial, emotional, and physical life changes; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby urges all employees to review their retirement and pension plans.

Background: Further information is available at www.retireonyourterms.org, www.calstrs.com, and www.calpers.ca.gov.

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

(Trustee Park returned at 5:24 p.m.)

Com. No. BT2. Conference Attendance Authorization

Motion by Trustee Mercer, seconded by Trustee Scott-Hayes, to adopt Com. No. BT2.

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

REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS (continued)

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.

Recognition of Cadet of the Year

This item was taken out of order and conducted earlier during today’s meeting.

EOPS Program 40th Anniversary Presentation by Los Angeles Valley College

Interim Chancellor Wieder introduced Mr. David Follocco, Acting Vice President, Student Services, Pierce College.

Mr. Follocco expressed his appreciation to Ms. Mercedes Yanez, Associate Dean, EOPS/CARE, LAHC, and Dr. Sherri Rodriguez, Associate Dean, EOP&S, LAVC, for their efforts in preparing the presentation. He discussed the services that are provided for EOPS students. He introduced the following three students, each of whom discussed the assistance they received from the EOPS Program:

Mr. Tafari Gonzalez-Aird, LAVC; Ms. Yessica Ortiz, Pierce College; and Ms. Daphne Brooks, LAHC.

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., PC1., 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. BSD1. Business Services Routine Report

With respect to Roman Numeral III. Ratify Service Agreements Item B. as it relates to an amendment to renew an agreement with Commuter Check Services Corporation to furnish "Commuter Check" regional transit vouchers for distribution to District Office employees, Trustee Mercer inquired as to how many District Office employees utilize mass transit.

Ms. Dawn Bastin, Director, Business Services, indicated that she would provide this information at the Board meeting of October 21, 2009.

With respect to Roman Numeral VI. Authorize Agreement Item A. as it relates to an agreement with The McCallum Group for legislative advocacy and consulting services for the District and its colleges, Trustee Scott-Hayes requested that an evaluation be conducted to ensure that the District is receiving the full service it requires from this firm.

Mr. Ken Sherwood concurred with Trustee Scott-Hayes' request to conduct an evaluation and recommended that the Board postpone its vote on this item.

Trustee Scott-Hayes requested that Roman Numeral VI. Item A. be separated for the vote.

There being no objection, Roman Numeral VI. Item A. was separated for the vote.

Com. No. BSD2. Ratifications for Business Services

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

With respect to Roman Numeral V. Authorize Design-Build Contract as it relates to a contract with S. J. Amoroso to provide design and construction for the LACC Student Union Building, Mr. James Butler-Zetino recommended that the Board approve this contract.

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

VIII. AUTHORIZE CONSTRUCTION CONTRACTS

...

~~D. Authorize a contract with Richard Lee Sherman to provide general construction services for the CDC Water Softening System project at Los Angeles Southwest College at a cost of \$35,000. 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.~~

~~**Background:** This contract is the result of formal competitive bidding. Seventeen (17) contractors requested bid packets. Nine (9) responsive bids were received ranging from \$35,000 to \$104,850. This contract represents the first (1) awarded to this entity through the Bond Program. Funding is through Proposition A/AA and Measure J Bond proceeds. CDC Water Softening System 06S.6616.03.03. Construction Phase.~~

Withdrawn.

Com. No. FPD2. Master Procurement Agreement for Solar Shades

Com. No. FPD3. Master Procurement Agreements for Outdoor Furniture

Com. No. HRD1. Personnel Services Routine Actions

Ms. Deborah Hirsh, Senior Associate Vice Chancellor, Human Resources, noted the following amendment:

...

DATE RANGE: September 15, 2009 – September 28, 2009; ~~SR: 620~~ **Withdrawn**

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

Com. No. PC1. Personnel Commission Action

Correspondence

Accept recommended disposition of Correspondence.

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

Student Trustee Advisory Vote: Aye (Robinson)

ADOPTED AS AMENDED WITH THE EXCEPTION OF COM. NO. BSD1. ITEM VI. A., WHICH WAS SEPARATED FOR THE VOTE: 7 Ayes

Com. No. BSD1. Item VI. A.

Motion by Trustee Mercer, seconded by Trustee Pearlman, to adopt Com. No. BSD1. Item VI. A.

Student Trustee Advisory Vote: Aye (Robinson)

*ADOPTED: 5 Ayes (Candaele, Field, Mercer, Pearlman, Santiago)
2 Noes (Park, Scott-Hayes)*

Matters Requiring a Super Majority Vote

None.

RECOMMENDATIONS FROM THE CHANCELLOR

Public Hearing on Los Angeles Mission College 2009 Master Plan Update and Subsequent Environmental Impact Report

President Field declared the public hearing open.

A document entitled "Los Angeles Mission College 2009 Facilities Master Plan Subsequent Environmental Impact Report" was distributed.

Mr. Eisenberg indicated that in approximately 30 days, the Board will be asked to adopt the Facilities Master Plan and approve the Environmental Impact Report (EIR).

Mr. Dev Vrat, Environmental Impact Consultant for LAMC, gave a PowerPoint presentation and discussed the document with respect to the EIR process; 2009 proposed new development areas; the proposed 2009 Master Plan; and the draft EIR analysis with respect to aesthetics, air quality, noise, transportation and traffic, project alternatives, and areas of controversy.

Public Comment

None.

President Field declared the public hearing closed.

Com. No. CH1. Approve ELAC Accreditation Follow-Up Report

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

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

Com. No. CH2. Resolution – Reappointment of Personnel Commissioner

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

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

NOTICE REPORTS AND INFORMATIVES

Com. No. BF/A. [Notice] Adoption of the 2010-2011 Budget Development Calendar

Noticed by Interim Chancellor Wieder.

PUBLIC AGENDA REQUESTS (Category B)

Oral Presentations

None.

Proposed Actions

None.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

Dr. Linda Spink, President, LAHC, announced that LAHC has received a Title 5 grant for \$2.87 million.

Dr. Moore expressed her appreciation to Trustees Mercer, Park, and Pearlman for attending a press conference regarding "green" technology that was held at LACC on October 5, 2009.

Mr. Marvin Martinez, Vice Chancellor, Economic and Workforce Development, announced that on Friday, October 2, 2009, Governor Arnold Schwarzenegger announced the award of several grants under the California Clean Energy Workforce Training Program. LACC and LATTC have each been awarded a \$1 million grant and Los Angeles County has been awarded two grants—one for \$1 million and the other for \$500,000.

Ms. Camille Goulet, General Counsel, announced that a special meeting of the Infrastructure Committee will be held on October 14, 2009 at 10 a.m.

ADJOURNMENT

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

Without objection, so ordered.

The regular meeting adjourned at 6:29 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