

# LOS ANGELES COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### MINUTES – REGULAR MEETING

Wednesday, November 3, 2010 • 12:30 p.m.  
Los Angeles Southwest College • Little Theater  
1600 W. Imperial Highway • Los Angeles, California 90047

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 12:32 p.m. with President Georgia L. Mercer presiding.

On roll call the following members were present: Kelly Candaele, Georgia L. Mercer, Tina Park, Nancy Pearlman, Miguel Santiago, and Sylvia Scott-Hayes. Absent: Mona Field (arrived at 12:42 p.m.). Student Trustee Linda L. Tong was not present (arrived at 1:30 p.m.).

Chancellor Daniel J. LaVista was present.

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

President Mercer stated that in accordance with The Ralph M. Brown Act, Mr. Michael Brandon, a permanent classified employee assigned to Los Angeles Trade-Technical College as a Custodian, has requested that he be allowed to speak at the public session of the Board of Trustees. Mr. Brandon 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. Brandon.

Mr. Brandon addressed the Board regarding the charges against him.

(Trustee Field arrived at 12:42 p.m.)

Ms. Teresa VirgenTorres, Union Representative, SEIU Local 99, addressed the Board on behalf of Mr. Brandon. She distributed a copy of Mr. Brandon's statements and his performance evaluation for the summer of 2010.

President Mercer stated that in accordance with The Ralph M. Brown Act, Mr. Harvey Williams, a permanent classified employee assigned to Los Angeles City College as a Physical Education/Athletics Facilities Assistant, has requested that he be allowed to speak at the public session of the Board of Trustees. Mr. Williams was present.

Ms. Goulet indicated that the process is the same as that for Mr. Brandon.

Mr. Shanahan summarized the charges against Mr. Williams.

Mr. Williams addressed the Board regarding the charges against him.

Mr. James Kidd, Representative, SEIU Local 99, addressed the Board on behalf of Mr. Williams.

## **RECESS TO CLOSED SESSION**

Motion by Trustee Scott-Hayes, seconded by Trustee Field, to recess to Closed Session in accordance with The Ralph M. Brown Act, under the Government Code and the Education Code, to discuss the matters on the Closed Session agenda as posted and announced.

President Mercer announced that the Public Session would reconvene at 3:00 p.m. rather than 2:00 p.m.

*APPROVED: 7 Ayes*

The regular meeting recessed to Closed Session at 12:55 p.m.

(Student Trustee Tong arrived at 1:30 p.m.)

## **RECONVENE REGULAR MEETING**

The regular meeting of the Board of Trustees of the LACCD reconvened at 3:08 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. Student Trustee Linda L. Tong was present.

Chancellor Daniel J. LaVista was present.

Trustee Pearlman led the Pledge of Allegiance to the Flag.

## **WELCOMING REMARKS BY DR. JACK E. DANIELS III, PRESIDENT, LOS ANGELES SOUTHWEST COLLEGE**

Dr. Daniels acknowledged and expressed his appreciation to the staff of the College for their efforts in preparing for today's Board meeting.

## **APPROVAL OF MINUTES**

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

Regular Meeting and Closed Session – October 20, 2010

*Student Trustee Advisory Vote: Aye (Tong)*

*APPROVED: 7 Ayes*

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

The following individual reported from the Resource Table:

Ms. Kessha Perry, ASO President, Los Angeles Southwest College (LASC), and Student Representative at the Resource Table.

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

### **Oral Presentations**

None.

### **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 – November 3, 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 Candaele reported on the morning's Budget and Finance Committee meeting.

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

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

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

Chancellor LaVista reported on District activities and commended the College Foundations at Los Angeles City College (LACC) and Los Angeles Trade-Technical College (LATTC) for their recent gala fundraising events. He also reported on the annual report regarding the bond program produced by the District Citizens' Oversight Committee.

### **Presentation on Los Angeles Southwest College's Fundamentals of English Retention, Success, and Matriculation**

A document entitled "Los Angeles Southwest College Fundamentals of English Retention, Success, and Matriculation" was distributed.

Mr. Daniel Walden, Dean, Academic Affairs, LASC, gave a presentation regarding the program.

## **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. 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. BSD1. Ratifications for Business Services

The following amendment was noted:

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D. MAINTENANCE AGREEMENTS

Agreement Nos.: 4500110331 (Renew); 4500151215; ~~4500151426~~ – **Withdrawn.**

(Total Cost: ~~\$46,920~~ **\$35,187**)

BACKUP TO RATIFICATIONS (BSD1) FOR BUSINESS SERVICES

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D. MAINTENANCE AGREEMENTS

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~~4500151426 City. Agreement with Siemens Water Technologies Corporation to provide preventive maintenance for the High Purity Water System at the Science and Technology Building during the period June 1, 2010 to May 31, 2011, inclusive. Total cost: \$11,733.~~

**Withdrawn.**

Com. No. BSD2. Business Services Routine Report

The following amendment was noted:

I. RATIFY SERVICE AGREEMENTS

A. Ratify agreement No. 4500151405 with The University Corporation and Los Angeles Pierce College to provide advisory services in the ongoing operation and management of a food and beverage eating facility known as Freudian Sip café, during the period of April 21, 2010 to April 20, 2015, inclusive. The fee is equal to one percent (1%) of total net sales per annum. Estimated annual fee is ~~\$30,000~~ **\$6,000.**

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

Com. No. FPD2. Adopt Resolution Authorizing Implementation of Design-Build System of Project Delivery

Com. No. HRD1. Personnel Services Routine Actions

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

Correspondence

Accept recommended disposition of Correspondence.

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

*Student Trustee Advisory Vote: Aye (Tong)*

*ADOPTED AS AMENDED: 7 Ayes*

**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.

### **Public Hearing to Authorize a Resolution Amending Scope of Work and Authorizing Financing Regarding Renewable Energy Optimization Program**

President Mercer declared the public hearing open regarding the Resolution Amending Scope of Work and Authorizing Financing Regarding the Renewable Energy Optimization Program.

#### **Public Comment**

None.

President Mercer declared the public hearing closed.

### **Com. No. FPD3. Authorize a Resolution Amending Scope of Work and Authorizing Financing Regarding Renewable Energy Optimization Program**

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

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

### **Com. No. FPD4. Ratify an Emergency Resolution for the Replacement of Damaged Conduits and High Voltage Conductors at Pierce College**

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

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

## **NOTICE REPORTS AND INFORMATIVES**

### **Com. No. BF/A. [Informative] 2010-2011 First Quarter Financial Status Report**

Presented by Chancellor LaVista.

## **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 Field, to adjourn.

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

The regular meeting adjourned at 4:22 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 17, 2010