

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, December 2, 2009 • 11:00 a.m.

Los Angeles Southwest College

Cox Building • 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 11:06 a.m. with President Mona Field presiding.

On roll call the following members were present: Mona Field, Georgia L. Mercer, Tina Park, Miguel Santiago, and Sylvia Scott-Hayes. Absent: Kelly G. Candaele (arrived at 11:49 a.m.), Nancy Pearlman (arrived at 11:08 a.m.). Student Trustee Rodney D. Robinson was not present (arrived at 3:15 p.m.).

Interim Chancellor Tyree Wieder was present.

(Trustee Pearlman arrived at 11:08 a.m.)

RECESS TO COMMITTEE OF THE WHOLE

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

APPROVED: 6 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 11:09 a.m.

Public Speakers

None.

Request for Proposal (RFP)/Owner-Controlled Insurance Program (OCIP)

Mr. Larry Eisenberg, Executive Director, Facilities Planning and Development, distributed documents entitled "Competitive Selection Briefing" and "OCIP Overview." He discussed the "Competitive Selection Briefing" document with respect to why competitive selection is used; the types of competitions; the basis of selection; the processes for awarding professional services contracts and construction contracts; and the process for purchasing furniture, fixtures, and equipment.

Mr. Eisenberg discussed the "OCIP Overview" document with respect to the selection basis for the recently competed contract and the three possible options for effectively competing the contract—(1) Low Price; (2) Most Qualified; and (3) Low Price from Prequalified Shortlist.

There was discussion regarding the criteria that were used to evaluate the proposals for the OCIP Brokerage and Administration Services Request for Proposal (RFP) as follows:

1. Price – 30%
2. Team Experience – 20%
3. Point Person Experience – 10%
4. Work Plan – 15%
5. Outreach – 10%
6. References – 15%

Trustee Field recommended decreasing References and Outreach to 5 percent each and increase Price to 45 percent.

Trustee Scott-Hayes recommended increasing Price to 40 percent and having staff revise the other percentages.

Motion by Trustee Scott-Hayes, seconded by Vice President Mercer, to increase Price to 40 percent and have staff revise the other percentages and bring these back to the Board.

APPROVED: 6 Ayes

Bond Program Update

A document entitled “Energy Oversight Committee Report” was distributed.

Interim Chancellor Wieder deferred to Mr. Ernest Moreno, President, East Los Angeles College (ELAC), and Chairperson, Energy Oversight Committee.

Mr. Moreno introduced the other members of the Energy Oversight Committee. He discussed the document with respect to the Committee’s objective, which is to analyze and study all aspects of the Districtwide renewable energy program proposed by Mr. Eisenberg, including new technologies, funding, and financing mechanisms. He also discussed the mandatory core technologies (recommended) and non-mandatory technologies (not recommended at this time).

There was discussion regarding the status of the solar photovoltaic projects at the colleges.

Trustee Santiago requested that the Board be provided with details regarding the status of the energy program at each college and the cost of each program.

(Trustee Candaele arrived at 11:49 a.m.)

Mr. Moreno continued his discussion of the document with respect to the mandatory core technologies and non-mandatory technologies. He also discussed the document with respect to financing and funding considerations.

There was discussion regarding the financing and funding considerations.

Adjournment

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

APPROVED: 7 Ayes

The Committee of the Whole adjourned at 12:42 p.m.

Vice President Mercer relinquished the gavel to President Field.

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 12:44 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 not present (arrived at 3:15 p.m.).

Interim Chancellor Tyree Wieder was present.

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

Ms. Camille Goulet, General Counsel, explained Title 5 and The Ralph M. Brown Act as they relate to permission for public speakers to address the Board regarding Closed Session agenda matters during the public session.

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

The following individuals addressed the Board regarding Closed Session agenda Roman Numeral V. Conference with Legal Counsel – Anticipated Litigation (pursuant to Government Code section 54956.9 (b)) Item B. Allegation of discrimination and retaliation by employee at West Los Angeles College (WLAC):

Mr. Charles Buffa, Ms. Esmeralda Estrada, and Mr. Sam Shabot.

RECESS TO CLOSED SESSION

Motion by Trustee Santiago, 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: 7 Ayes

The regular meeting recessed to Closed Session at 1:04 p.m.

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 3:07 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, Miguel Santiago, and Sylvia Scott-Hayes. Student Trustee Rodney D. Robinson was not present (arrived at 3:15 p.m.).

Interim Chancellor Tyree Wieder was present.

Trustee Santiago led the Pledge of Allegiance to the Flag.

WELCOMING REMARKS BY DR. JACK DANIELS, PRESIDENT, LOS ANGELES SOUTHWEST COLLEGE

Dr. Daniels welcomed the Board members to the College. He discussed current and future events and projects at the College. He introduced the following individuals from Los Angeles Southwest College (LASC):

Ms. Allison Moore, Academic Senate President; Ms. Linda Fox, Acting AFT Staff Chapter Chair; Mr. Reginald McCoy, President, SEIU Local 721; Mr. Elmer Bugg, Dean, Workforce Development; Dr. Mary Callahan, Interim Vice President, Academic Affairs; Mr. Greg Sandoval, Interim Vice President, Student Services; and Dr. Dave Romero, Interim Vice President, Administrative Services.

Dr. Daniels presented the LASC Fall 2009 Voice Class, which performed two musical numbers—"The Wee Small Hours of the Morning" and "Honeysuckle Rose."

APPROVAL OF MINUTES

None.

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

None.

PUBLIC AGENDA REQUESTS (Category A)

Oral Presentations

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

Mr. Victor Orellana addressed the Board with his concern regarding accreditation issues and the lack of shared governance at Los Angeles Trade-Technical College (LATTC).

(Student Trustee Robinson arrived at 3:15 p.m.)

Ms. Camelia Williams addressed the Board with her concerns regarding an art project that was assigned for homework at LATTC, which the African American students in the class felt was racially inappropriate and offensive. She also expressed her concern regarding the lack of shared governance at LATTC.

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 – December 2, 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 Planning and Student Success Committee meeting at which there was discussion regarding Accountability Reporting by Community Colleges (ARCC) 2009 Outcomes, Consultation Council Accreditation Task Force recommendations, the Pierce College Strategic Plan Report, and the Los Angeles Valley College (LAVC) Substantive Change Report.

Trustee Mercer reported on this morning's Committee of the Whole meeting at which there was discussion regarding a Request for Proposal (RFP) for the Owner-Controlled Insurance Program (OCIP) and a Bond Program update presentation regarding the Districtwide renewable energy program.

Com. No. BT1. Resolution – Dr. Martin Luther King, Jr. Week

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

The following resolution is presented by Trustee Santiago:

- WHEREAS, Since 1986, the third Monday in January has been observed as a national holiday in commemoration of the birthday of Dr. Martin Luther King, Jr.; and
- WHEREAS, Dr. Martin Luther King, Jr. had a dream to one day live in a nation where people would "not be judged by the color of their skin but by the content of their character"; and
- WHEREAS, Dr. Martin Luther King, Jr. was a civil rights leader who believed in a philosophy of nonviolence in his efforts to secure justice and equal access for African-Americans as well as other underrepresented groups; and
- WHEREAS, His movement brought about desegregation, the Civil Rights Act of 1964, the Voting Rights Act of 1965, and a national awareness of racial injustice and economic deprivation; and
- WHEREAS, In 1964, he was awarded the Nobel Peace Prize for his pursuits; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby designates January 18-22, 2010 as *Dr. Martin Luther King, Jr. Week* to honor his many achievements and contributions to all Americans.

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

Com. No. BT2. Approve Accreditation Substantive Change Report

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

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

Com. No. BT3. Approve LATTTC Strategic Plan Update

Trustee Field indicated that the Planning and Student Success Committee did not have an opportunity to review the LATTTC Strategic Plan at this morning's meeting. Therefore, Com. Nos. BT3. and BT4. are being withdrawn.

Withdrawn.

Com. No. BT4. Approve LATTTC Mission Statement

Withdrawn.

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.

Presentation of Charitable Foundation Donation to Los Angeles Community College District

Interim Chancellor Wieder deferred to Ms. Carolyn Widener, Los Angeles College Faculty Guild.

Ms. Widener introduced Mr. Will Pryor, Los Angeles County Firefighter and Executive Board Member, National Conference on Public Employee Retirement Systems (NCPERS).

Mr. Pryor indicated that the NCPERS Charitable Foundation has raised approximately \$28,000 for the LACCD Foundation.

Ms. Widener indicated that this money will be used for scholarships for students.

Mr. Pryor and Ms. Widener presented the donation to the LACCD Foundation.

* * *

Dr. Oscar Cobian, Dean, TRIO, LASC, and Ms. Angelica Ramirez, Classified Staff Member, LASC, presented a certificate of recognition to Dr. Daniels in appreciation of his support for Hispanic Heritage Month activities at LASC.

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. 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. Ratifications for Business Services

There was discussion regarding Item D. Service Agreements with respect to outside firms being utilized to provide design and other services for campus newspapers, brochures, and other materials as opposed to utilizing District employees.

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

Mr. Eisenberg noted that Roman Numeral XI. Authorize Purchase Orders Item D. has been withdrawn as follows:

XI. AUTHORIZE PURCHASE ORDERS

...

~~D. Authorize a purchase order with Ecco Solutions to provide a compostable food waste decomposer for the Resource and Recovery project at Los Angeles Trade-Technical College at a cost of \$22,000.~~

Withdrawn.

Com. No. FPD2. Master Procurement Agreement for Audio Visual Equipment

Com. No. HRD1. Personnel Services Routine Actions

Correspondence

Accept recommended disposition of Correspondence.

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

Student Trustee Advisory Vote: Aye (Robinson)

ADOPTED AS AMENDED: 7 Ayes

Matters Requiring a Super Majority Vote

Com. No. FPD3. Authorize Lease Agreement

Mr. Eisenberg noted the following amendment:

Authorize a Lease Agreement with Managed Career Solutions ("MCS") under Education Code section 81378.1 from ~~December~~ **January** 4, ~~2009~~ **2010** to ~~April~~ **May** 4, 2010 for lease of approximately 1,440 square feet of bungalow building space located at Los Angeles Harbor College to use as a One Source Center providing advisory and job placement services to students and the community.

...

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to adopt Com. No. FPD3. as amended.

Student Trustee Advisory Vote: Aye (Robinson)

ADOPTED AS AMENDED: 7 Ayes

RECOMMENDATIONS FROM THE CHANCELLOR

Public Hearing for the Draft Environmental Impact Report for the East Los Angeles College Firestone Educational Center, formerly South Gate Educational Center

President Field declared the public hearing open for the Draft Environmental Impact (EIR) Report for the East Los Angeles College (ELAC) Firestone Educational Center.

Mr. Moreno deferred to Mr. Terry A. Hayes, Terry A. Hayes Associates LLC.

Mr. Hayes gave a PowerPoint presentation regarding the Draft EIR for the ELAC Firestone Educational Center.

There was discussion regarding the ELAC Firestone Educational Center with respect to transportation to the Center, building design, landscaping, parking, and environmental issues.

Public Comment

None.

President Field declared the public hearing closed.

Com. No. FPD4. Approve 2009 Los Angeles Mission College Facilities Master Plan and Subsequent Environmental Impact Report

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

A document entitled "Los Angeles Mission College (LAMC) Facilities Master Plan Final EIR" was distributed.

Ms. Judith Valles, President, LAMC, indicated that all of the mitigation issues were addressed at a meeting in August 2009 and the Facilities Master Plan Final EIR is being presented to the Board for approval at this time.

Ms. Mia Ibranan of Leo A. Daly and Mr. Dev Vrat, URS Corporation, gave a PowerPoint presentation regarding the areas of concern identified during the public involvement process and the effort to address mitigation measures impacting the residents in the community including traffic, parking, and noise.

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

NOTICE REPORTS AND INFORMATIVES

Com. No. CH/A. [Notice] Adopt Board Rule 17006

Noticed by Interim Chancellor Wieder.

PUBLIC AGENDA REQUESTS (Category B)

Oral Presentations

Reverend Dr. Kim Sarah Kreeger addressed the Board with her concerns regarding safety issues impacting students as a result of the construction at LASC.

Proposed Actions

None.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

Trustee Pearlman congratulated LATTC for the ribbon-cutting ceremony for its Child Development Center and LAMC for the groundbreaking ceremony for its Media Arts Center.

Dr. Jamillah Moore, President, Los Angeles City College (LACC), announced that the grand opening of the Science and Technology Building will take place on Thursday, December 3, 2009 at 11 a.m.

ADJOURNMENT

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

Without objection, so ordered.

The regular meeting adjourned at 5:05 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 27, 2010