

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, February 27, 2008 • 12:30 p.m.
Los Angeles Valley College • Monarch Hall
5800 Fulton Avenue • Valley Glen, California 91401

The regular meeting of the Board of Trustees of the Los Angeles Community College District was called to order at 12:42 p.m. with President Sylvia Scott-Hayes presiding.

On roll call the following members were present: Kelly G. Candaele, Georgia L. Mercer, Nancy Pearlman, Angela J. Reddock, and Sylvia Scott-Hayes. Absent: Mona Field (arrived at 12:44 p.m.). Student Trustee Eva Jackson was present.

Chancellor Marshall E. Drummond was present.

(Trustee Field arrived at 12:44 p.m.)

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

Com. No. HRD2. Disciplinary Actions, Non-renewal of Contract, and Academic Dismissal, Item I. A.

Ms. Camille Goulet, General Counsel, stated that in accordance with The Ralph M. Brown Act, Dr. Paul Zuccaro, a permanent classified employee assigned to Los Angeles Valley College as an Instructional Media Assistant, has requested that he be allowed to speak at the public session of the Board of Trustees. Dr. Zuccaro was present.

Dr. A. Sue Carleo, Senior Associate Vice Chancellor, Human Resources, explained what should occur with respect to the disciplinary case.

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

Dr. Carleo summarized the charges against Dr. Zuccaro.

Ms. Fern Reisner addressed the Board on behalf of Dr. Zuccaro.

Dr. Zuccaro addressed the Board regarding the charges against him.

Scheduled speaker Ms. Dorothy Bates withdrew her request to address the Board.

RECESS TO CLOSED SESSION

Ms. Goulet noted the following correction to the Closed Session Agenda:

- VI. Public Employment
(pursuant to Government Code section 54957)
 - A. Position: President, Los Angeles **Valley City** College

Ms. Goulet added the following language:

The Board will also discuss Walker v. LACCD during Closed Session.

Motion by Trustee Pearlman, 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, amended, and announced (see Attachment A).

APPROVED: 6 Ayes

The regular meeting recessed to Closed Session at 12:54 p.m.

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the Los Angeles Community College District reconvened at 3:38 p.m. with President Sylvia Scott-Hayes presiding.

On roll call the following members were present: Kelly G. Candaele, Mona Field, Georgia L. Mercer, Nancy Pearlman, Angela J. Reddock, and Sylvia Scott-Hayes. Student Trustee Eva Jackson was present.

Chancellor Marshall E. Drummond was present.

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

WELCOMING REMARKS

President Scott-Hayes expressed her appreciation to Dr. Tyree Wieder, President, LAVC, for hosting today's Board meeting.

Dr. Wieder introduced Mr. Donald Gauthier, Academic Senate President, LAVC.

Mr. Gauthier announced that the LAVC Early Childhood Workforce Development Program has been presented with the 2007 Exemplary Program Award by the Board of Governors of the California Community Colleges. He presented the award to Ms. Marni Roosevelt, Project Track/Child Development, LAVC.

Ms. Roosevelt expressed her appreciation for the award. She indicated that LAVC competed for this award against many work force development programs in various industries.

Dr. Wieder acknowledged Ms. Lauren Okayama, Chair, Child Development Department, LAVC, and Ms. Laurie Nalepa, Dean, Academic Affairs, who oversees the Child Development Department.

Dr. Wieder introduced Mr. Chuck Ferrero, Athletic Director, LAVC.

Mr. Ferrero announced that the American Sports Builders Association has presented LAVC with the Distinguished Outdoor Track Facility Award for the 10-lane track that was completed last year. He indicated that Mr. Casey Locurto, former LAVC student, was selected as a Pepsi Scholar Athlete and will be honored at the Convention on Athletics Convention in March 2008. He stated that LAVC will be hosting a Western State Conference five-team track meet on Friday, March 7, 2008 in conjunction with the LAVC Hall of Fame Barbecue and invited the Board members to attend this event.

Dr. Wieder introduced Dr. Yasmin Delahoussaye, Vice President, Student Services, LAVC.

Dr. Delahoussaye announced that the Association of Community College Administrators (ACCCA) has presented the ACCCA Award for Progress & Diversity to the LAVC Early Start Program. She reported that Ms. Youssra Majoura started in the LAVC Early Start Program as a 9th grader and will graduate in June 2008 from Yale Medical School.

Dr. Wieder acknowledged the LAVC faculty and staff for their efforts.

MINUTES

Motion by Trustee Candaele, seconded by Trustee Field, to adopt the following minutes:

Regular Meeting and Closed Session – January 30, 2008

APPROVED: 6 Ayes

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

With respect to the collective bargaining notice reports on today's Board agenda, Mr. Jim Adams, Los Angeles County Building and Construction Trades Council, indicated that his union is looking forward to successful negotiations that will be beneficial for both sides.

* * *

Ms. Mari Kiridjian, ASU President, LAVC, and Student Representative at the Resource Table, welcomed the Board members to the college.

PUBLIC AGENDA REQUESTS (CATEGORY A)

Oral Presentations

Ms. Leeane Melendez presented an update regarding CALPIRG activities including the fundraising effort to prevent hunger and homelessness. She indicated that a "hunger cleanup day" will be held on April 6, 2008.

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 of Actions Taken in Closed Session – February 27, 2008

President Scott-Hayes indicated that The Ralph M. Brown Act requires that certain matters decided during the Closed Session be reported during the public session that follows.

The Board voted unanimously to give notices of nonrenewal to an administrator at Los Angeles Trade-Technical College and an administrator at West Los Angeles College.

The Board took no further actions required to be reported.

Reports of Standing and Special Committees

The reports of this morning's Legislative Affairs Committee meeting and Planning and Student Success Committee meeting were scheduled to be presented later in today's Board meeting.

Com. No. BT1. Resolution – District Classified Employees Retirement

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

- WHEREAS, The classified employee identified below has been with the Los Angeles Community College District for many years; and
- WHEREAS, This classified employee has contributed significantly toward providing the highest quality of services to our students and the public on behalf of the Los Angeles Community College District; now, therefore, be it
- RESOLVED, That the Personnel Commission and the Board of Trustees of the Los Angeles Community College District do hereby commend the employee for her contributions and extend best wishes in her retirement.

SUMMARY OF RETIRED CLASSIFIED EMPLOYEES
January 1, 2008 – January 31, 2008

LAST NAME	FIRST NAME	JOB CLASSIFICATION	YEARS OF SERVICE	LOCATION
1 Baker	Rolinda B.	SFP Program Director	6	Trade-Tech

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

Com. No. BT2. Approve Accreditation Progress Reports

Motion by Trustee Field, seconded by Trustee Mercer, to adopt Com. No. BT2.

President Scott-Hayes reported on this morning's Planning and Student Success Committee meeting at which there were Accreditation Progress Report presentations by the Seaside Colleges (LAHC, LASC, and WLAC) and the Valleyside Colleges (LAMC, Pierce College, and LAVC).

Student Trustee Advisory Vote: Aye (Jackson)
ADOPTED: 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 Drummond and action taken as indicated.

Chancellor Drummond commended Mr. Gary Colombo, Vice Chancellor, Institutional Effectiveness; the College Presidents; and their faculty and staff for their efforts in preparing the Accreditation Progress Reports.

Dr. Mark Rocha, President, WLAC, announced that the WLAC Baseball Team was honored by the Los Angeles County Board of Supervisors at its meeting yesterday. The Board of Supervisors has declared Saturday, March 1, 2008 as "West Los Angeles College Baseball Day" throughout Los Angeles County. On March 1, 2008, the WLAC Baseball Team will be playing its first game on the new field. He indicated that Trustees Candaele and Reddock and Dr. Adriana Barrera, Deputy Chancellor, will be attending the game. He further announced that the cumulative grade point average of the baseball players for the Fall and Winter sessions is 3.14.

Legislative Update

Mr. Patrick McCallum, Legislative Advocate, reported on this morning's meeting of the Legislative Affairs Committee at which he presented a report regarding the state budget, a legislative update, and a report regarding LACCD sponsored legislation.

Ms. Camille Goulet, General Counsel, indicated that the recommendations that were approved by the Legislative Affairs Committee will be presented to the full Board for approval at the regularly scheduled Board meeting of March 12, 2008.

CONSENT CALENDAR ITEMS

Matters Requiring a Majority Vote

President Scott-Hayes 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., HRD2., PC1., and the Correspondence.

Motion by Trustee Field, seconded by Trustee Candaele, to adopt the Consent Calendar Items as amended on Matters Requiring a Majority Vote.

The Trustees discussed the following Consent Calendar agenda items:

Com. No. BF1. Budget and Finance Routine Report

With respect to Roman Numeral I. Acceptance of Income by College Item B. Pierce College as it relates to the acceptance of funds from the United States Environmental Protection Agency (EPA) for the A Method to Convert Animal Waste Project at Pierce College, Trustee Field commended Pierce College for conducting this project, which uses animal waste to create energy.

Mr. Robert Garber, President, Pierce College, reported that there will be a competition for the EPA grant at an environmental fair in Washington, DC. He indicated that Pierce College is the only community college among approximately 40 colleges and universities that will be competing for the grant.

Com. No. BSD1. Business Services Routine Report

With respect to Roman Numeral II. Authorize Hardware and Software Upgrade and Support Agreement as it relates to an agreement to provide a Cisco Voice Network Upgrade at LACC, Trustee Mercer inquired as to the status of emergency preparedness at the District colleges.

Mr. Larry Eisenberg, Executive Director, Facilities Planning and Development, responded that the California Community Colleges Chancellor's Office has mandated emergency preparedness training for all California community college districts. He indicated that emergency plans are in place for a majority of the District colleges and plans for the remaining colleges are in progress.

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

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

With respect to Roman Numeral III. Authorize Amendments to Professional Services Agreements Item E. as it relates to an amendment to an agreement with Public Private Ventures, Inc. (PPV) to provide additional real estate-based revenue enhancement services for District college campuses and their satellites, Trustee Reddock inquired as to what have been the benefits for the District of working with PPV.

Mr. Eisenberg responded that PPV has assisted the District in developing Requests for Proposals (RFPs) for various projects at WLAC and LATTC.

There was discussion regarding the cost increase from \$500,000 to \$650,000 for the second year of the three-year agreement.

Trustee Candaele recommended that this item be tabled in order to obtain further information regarding the cost increase.

Dr. Rocha explained the function of PPV with respect to the WLAC projects.

Trustee Field concurred with Trustee Candaele's request to table this item in order to obtain further information.

Trustee Reddock requested that the status of construction projects currently in progress be discussed at an Infrastructure Committee meeting or a Committee of the Whole meeting.

Mr. Eisenberg indicated that there is no urgency in adopting this item and that it could be withdrawn.

Dr. Roland Chapdelaine, President, LATTTC, explained the function of PPV with respect to the LATTTC projects.

President Scott-Hayes requested that this item be discussed at a Committee of the Whole meeting. She entertained a motion to withdraw Roman Numeral III. Authorize Amendments to Professional Services Agreements Item E. and discuss it at a Committee of the Whole meeting within the next 60 days.

Motion by Trustee Candaele, seconded by Trustee Field, to withdraw Roman Numeral III. Item E. and discuss it at a Committee of the Whole meeting within the next 60 days.

APPROVED: 6 Ayes

Com. No. FPD1. Facilities Planning and Development Routine Report Roman Numeral III. Authorize Amendments to Professional Services Agreements Item E.

Withdrawn.

With respect to Roman Numeral XI. Ratify Lease Agreement as it relates to a lease agreement with Vacant Property Security (VPS) for the term of twelve months to lease board-ups for windows and doors during construction of the Bakery Building project at the Northeast Campus of LACC, Trustee Pearlman inquired as to why plywood cannot be used to board up the windows and doors as opposed to spending more than \$29,000.

Mr. Eisenberg responded that the lease is for pre-done panels that can be used for other purposes after they are taken down. He indicated that the board-ups have been installed for security purposes.

With respect to Roman Numeral VI. Authorize Construction Contracts Item A. as it relates to a contract with Taisei, Inc. to provide general construction services for the Performing and Fine Arts Complex and Facilities Demolition Phase 2 project at ELAC, Trustee Mercer inquired as to the projected start and end dates.

Mr. Eisenberg responded that the construction will commence in 30 to 60 days and the project will take approximately 20 months to complete.

Com. No. HRD1. Personnel Services Routine Actions

Com. No. HRD2. Disciplinary Actions, Non-renewal of Contract, and Academic Dismissal

Dr. Barrera noted the following amendment:

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IV. ~~DISMISSAL OF TENURED ACADEMIC EMPLOYEE~~

~~Authorize the dismissal of academic employee, (EN 803621), a permanent Child Development Center Teacher assigned to Los Angeles Mission College based upon the following causes:~~

....

Withdrawn.

Com. No. ISD1. Approval of Noncredit Courses

Com. No. PC1. Personnel Commission Action

Accept Recommended Disposition of Correspondence

Student Trustee Advisory Vote: Aye (Jackson)
ADOPTED AS AMENDED: 6 Ayes

Matters Requiring a Super Majority Vote

Motion by Trustee Field, seconded by Trustee Mercer, to adopt Com. Nos. BF2. and FPD2.

Com. No. BF2. 2007-2008 Budget Adjustment

Trustee Mercer inquired as to what percentage of the Contingency Reserve is remaining and whether this amount is still prudent.

Ms. Jeanette Gordon, Chief Financial Officer/Treasurer, responded that the amount is still prudent. She indicated that the Contingency Reserve is at five percent.

Com. No. FPD2. Authorize Disposal of Surplus Personal Property from Los Angeles Community Colleges

Trustee Pearlman inquired if the surplus computers could be made available to the students.

Mr. Eisenberg responded that these computers are unsuitable for training individuals on the current technology. He indicated that the availability of surplus equipment is advertised on a website entitled "surplus" and anyone is welcome to bid. This information is also posted on college bulletin boards.

Student Trustee Advisory Vote: Aye (Jackson)
COM. NOS. BF2. AND FPD2. ADOPTED: 6 Ayes

RECOMMENDATIONS FROM THE CHANCELLOR

Com. No. FPD3. Reinstate the LACCD Improvement Corporation and Authorize Historic Tax Credit Program

Mr. Eisenberg indicated that the two actions before the Board today are preliminary and do not represent any significant commitment towards the LACCD Improvement Corporation and the Historic Tax Credit Program. There will be many future actions that the Board will be requested to take that will be the actual commitment to pursue these programs. He acknowledged Ms. Lisalee Wells, Partner, Fulbright & Jaworski LLP.

Ms. Wells discussed the structural diagram (Exhibit A) that is attached to the resolution reinstating the LACCD Improvement Corporation. She indicated that only after the corporations in the diagram have been created would any of the estimated \$50 million move from the Bond proceeds through these corporations for the purpose of making public improvements to the ELAC South Gate Educational Center.

There was discussion regarding the cost to the District of creating the corporations as indicated in the structural diagram.

Mr. Eisenberg indicated that the total administrative cost involved for implementing the structure will be several hundred thousand dollars in terms of staff time, lawyer time, and consultant time over a period of several years. He stated that the projected investment return for this effort will be \$15 to \$20 million Districtwide. The cost of Phase 1, which is to create the corporations, will be approximately \$50,000.

Ms. Wells explained the concept of historic tax credits.

There was discussion regarding the viability of reinstating the LACCD Improvement Corporation with respect to its monetary impact on the District.

Trustee Field requested that Com. No. FPD3. be withdrawn in order to obtain expertise from an entity that is not "in the game" to make money but can provide objective data for the District.

Mr. Eisenberg indicated that action on Com. No. FPD3. can be postponed. However, Com. No. FPD4. Partnerships with Community Development Entities with respect to allowing the Certified Development Entities (CDEs) to use the District's project information as part of their application does have a deadline issue. March 5, 2008 is the deadline for the CDEs to submit their applications to the United States Treasury Department. This process is conducted once per year. If the Board does not take action today, this resolution would be postponed for one year.

With respect to historic tax credits, Mr. Eisenberg indicated that the new market tax credits would apply to the Van de Kamp project, the South Gate project, and the District's energy projects.

Mrs. Jane Scott and Mr. Patrick Owens addressed the Board regarding Com. No. FPD3.

There being no objection, Com. No. FPD3. was withdrawn.

Mr. Eisenberg indicated that a Committee of the Whole meeting would be scheduled for the purpose of addressing the Board members' concerns regarding the LACCD Improvement Corporation and historic tax credits.

Withdrawn.

RECESS TO MEETING OF THE LACCD IMPROVEMENT CORPORATION

Withdrawn.

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

Com. No. FPD4. Partnerships with Community Development Entities

Motion by Trustee Pearlman, seconded by Student Trustee Jackson, to adopt Com. No. FPD4.

Mr. Eisenberg indicated that Com. No. FPD4. does not have any cost implications associated with it.

Trustee Mercer inquired as to how these partnerships will benefit the colleges.

Mr. Eisenberg responded that this program provides the District with a method for obtaining tax credit money that would be used for building construction projects.

Trustee Field indicated that she would vote against Com. No. FPD4. due to its complexity. She expressed her concern that there was not a detailed presentation to the Board well in advance of this action item.

Student Trustee Advisory Vote: Aye (Jackson)

ADOPTED: 4 Ayes (Candaele, Pearlman, Reddock, Scott-Hayes)

2 Noes (Field, Mercer)

NOTICE REPORTS AND INFORMATIVES

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

Com. No. HRD/A. Notice Report – District's Initial Proposal to the Exclusive Representatives of the Los Angeles College Faculty Guild, Local 1521

Com. No. HRD/B. Notice Report – District's Initial Proposal to the Exclusive Representatives of the District's Employees Regarding Reopeners on the Master Benefits Agreement

Com. No. HRD/C. Informative – Initial Proposal of the Los Angeles College Faculty Guild, Local 1521 to the Los Angeles Community College District Regarding Negotiations of the 2008-2011 Collective Bargaining Agreement

Com. No. HRD/D. Notice Report – District’s Initial Proposal to the Exclusive Representatives of the Los Angeles/Orange County Building and Construction Trades Council

Com. No. HRD/E. Informative – Initial Proposal of the Los Angeles/Orange County Building and Construction Trades Council to the Los Angeles Community College District Regarding Negotiations to the 2008-2011 Collective Bargaining Agreement

Com. No. ISD/A. Notice Report – Approve Board Rule ~~64116~~ 6416

Com. No. ISD/B. Notice Report – Revise Board Rule 6702

Com. No. ISD/C. Notice Report – Revise Board Rule 6701

Com. No. ISD/D. Notice Report – Revise Board Rule 6103

Com. No. ISD/E. Notice Report – Revise Board Rule 8202.12

Com. No. ISD/F. Notice Report – Revise Board Rule Chapter XII: Community Services

Com. No. ISD/G. Informative – Notification of Student Travel

Presented/noticed by Chancellor Drummond.

PUBLIC AGENDA REQUESTS (Category B)

Oral Presentations

None.

Proposed Actions

None.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

Mr. Carl Friedlander, President, Los Angeles College Faculty Guild, announced that Ms. Velma Butler, President, AFT College Staff Guild Los Angeles, will be honored on Friday, February 29, 2008 at the A. Philip Randolph Institute Dinner to be held at the California African-American Museum in Exposition Park.

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Student Trustee Jackson announced that on Thursday, February 28, 2008 at 12:30 p.m., there will be a celebration of the life of Mr. David Rodriguez, ASO Secretary, WLAC, who passed away on February 8, 2008.

ADJOURNMENT

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

Without objection, so ordered.

APPROVED: 6 Ayes

The regular meeting adjourned at 5:24 p.m.

MARSHALL E. DRUMMOND
Chancellor and Secretary of the Board of Trustees

By: _____
Laurie Green
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Sylvia Scott-Hayes
President of the Board

Date _____ March 26, 2008 _____