

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, May 27, 2009 • 12:30 p.m.

Los Angeles Harbor College

Seahawk Center – 2nd Floor

1111 Figueroa Place • Wilmington, California 90744

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 12:35 p.m. with President Kelly G. Candaele presiding.

On roll call the following members were present: Kelly G. Candaele, Mona Field, Georgia L. Mercer, Nancy Pearlman, Angela J. Reddock, Miguel Santiago, and Sylvia Scott-Hayes. Student Trustee Rose Bustos was not present (arrived at 3:03 p.m.).

Chancellor Marshall E. Drummond 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 be discussing the price and terms of payment for a potential lease of approximately 20,000 square feet of space at the Northeast Campus to the City of Los Angeles. The District's negotiators are Mr. Marvin Martinez, Mr. Larry Eisenberg, Mr. Gary Colombo, and Dr. Adriana Barrera.

The Board will also be discussing allegations of retaliation by a student at Los Angeles Pierce College.

Motion by Trustee Scott-Hayes, 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 and announced (see Attachment A).

APPROVED: 7 Ayes

The regular meeting recessed to Closed Session at 12:36 p.m.

(Student Trustee Bustos arrived at 3:03 p.m.)

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 3:30 p.m. with President Kelly G. Candaele presiding.

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

Chancellor Marshall E. Drummond was present.

Trustee Scott-Hayes led the Pledge of Allegiance to the Flag.

WELCOMING REMARKS BY DR. LINDA SPINK, PRESIDENT, LOS ANGELES HARBOR COLLEGE

Dr. Spink welcomed the Board members to the college.

APPROVAL OF MINUTES

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

Regular Meeting and Closed Session – January 28, 2009
Regular Meeting and Closed Session – March 11, 2009
Regular Meeting and Closed Session – April 15, 2009

APPROVED: 7 Ayes

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

Ms. Leila Menzies, President, Management Association, discussed the concerns of the Management Association with respect to the proposed health benefits change to CalPERS.

PUBLIC AGENDA REQUESTS (Category A)

Oral Presentations

Mr. Brett Peabody addressed the Board regarding the importance of athletics and physical education as a means of keeping young people out of street gangs.

Mr. Jeff Evans addressed the Board regarding the importance of providing athletic programs for women at the community colleges.

Mr. Gary Humecke addressed the Board with his concerns regarding inappropriate unsustainable landscaping at Pierce College. He distributed copies of a list of goals with respect to developing and implementing sustainable landscaping at Pierce College.

Trustee Pearlman requested that an update report be presented at the next Infrastructure Committee meeting regarding the District's sustainability policy.

Ms. Magali Sanchez-Hall addressed the Board with her concerns regarding budget reductions to the LAHC EOP&S Club.

Ms. Rachael Richards addressed the Board with her concerns regarding the use of ASO funds by the LAHC administration without the consent of the college's ASO.

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 – May 27, 2009

President Candaele 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 Field reported on this morning's External Affairs Committee meeting at which there was discussion regarding the District's contract for the dissemination of Bond Program information to the community. At this meeting, the Committee recommended that the full Board approve a one-year extension of the District's agreement with MWW Group, which is on today's Board agenda for action.

Trustee Pearlman reported on this morning's Infrastructure Committee meeting at which there was discussion regarding the District's satellite campuses.

President Candaele reported on this morning's Economic and Workforce Development Committee meeting at which there was discussion regarding federal stimulus and workforce development planning.

Com. No. BT1. Resolution – In Appreciation of Student Trustee Rose Bustos

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

- WHEREAS, During her tenure as its student representative, Rose Bustos has been an active member of the Board of Trustees of the Los Angeles Community District; and
- WHEREAS, Student Trustee Bustos has been an effective student leader as demonstrated by her efforts to fully represent the needs of her constituency—the students; and
- WHEREAS, As Student Trustee, Rose Bustos moved affirmatively to increase and strengthen the role of students in all areas of governance and to support and advocate for the rights of the students; and
- WHEREAS, Student Trustee Bustos worked diligently to insure a student voice in the development and consultation of District policy; and
- WHEREAS, Under the leadership of Student Trustee Bustos, the Student Affairs Committee addressed critical student issues, including increasing student participation in financial aid, public transportation options, affordable textbook options, and Associated Student Organization (ASO) leadership; and
- WHEREAS, Rose Bustos exemplifies the quality of students served by the Los Angeles Community College District and as Student Trustee on the Board of Trustees of the Los Angeles Community College District, she has made a significant impression upon the District; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District does hereby commend Student Trustee Rose Bustos for her exemplary service to the Board, the students, and the Los Angeles Community College District.

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

Chancellor Drummond, Trustee Scott-Hayes, and President Candaele expressed their appreciation to Student Trustee Bustos for her dedicated leadership efforts on behalf of the students.

Student Trustee Bustos expressed her appreciation for the support she has received during her years as a student at East Los Angeles College (ELAC) and Los Angeles Trade-Technical College (LATTC).

Com. No. BT2. Resolution – District Classified Employee Retirement

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

- WHEREAS, The classified employee identified in Exhibit A has been employed with the Los Angeles Community College District for many years; and
- WHEREAS, The 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 his contributions and extend best wishes in his retirement.

SUMMARY OF RETIRED CLASSIFIED EMPLOYEES
April 1, 2009 – April 30, 2009

LAST NAME	FIRST NAME	JOB CLASSIFICATION	YEARS OF SERVICE	LOCATION
1 Hubbard	Wendell C.	Bookstore Manager	29	Southwest

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

Com. No. BT3. Resolution – Unprecedented Fiscal Crisis

Motion by Trustee Scott-Hayes, seconded by Trustee Field, to adopt Com. No. BT3. as follows:

- WHEREAS, There is an unprecedented fiscal crisis in the State of California for the current fiscal year as well as subsequent fiscal years; and,
- WHEREAS, Class schedules have already been developed, published and offered for Summer 2009 and Fall 2009, and ensuing terms are currently under development; and,
- WHEREAS, Time is of the essence in making determinations to implement savings measure, which may require expedited processes; now, therefore, be it
- RESOLVED, That the Board of Trustees recommends that the Chancellor explore any and all options for any savings measures that will allow the District to pursue its core mission, including but not limited to the potential cancellation of summer session, minimization of additional assignments for employees, as well as any and all other potential savings measures.

Chancellor Drummond discussed the impact of the state "May Revise" on the District's tentative budget, which could result in a budget reduction of \$60 million to \$70 million. He reported that the magnitude of this reduction would be equivalent to two of the colleges being completely shut down. He stated that the goals are to protect the jobs of the permanent employees and to locate sources of funding that would provide a minimum of \$40 million in order to mitigate the impact on the colleges.

There was discussion regarding the possibility of cancelling the LACCD summer sessions in 2009 as a means of reducing the District budget deficit.

Trustee Field indicated that she would support the cancellation of the second summer session in 2009. She recommended that the resolution be amended to officially cancel the summer sessions beyond the first session, to set a deadline of June 24, 2009 to make a decision regarding the Winter Intersession, and that the Board directs the Chancellor to go to the Joint Labor Management Benefits Committee (JLMBC) with a dollar limit on how much can be spent on health benefits in the coming year.

Mr. John Clerx, Vice Chancellor, Educational Support Services, indicated that not every college will have two summer sessions.

Chancellor Drummond indicated that summer sessions scheduled to start on or after July 1, 2009 will be cancelled.

Mr. David Beaulieu, President, District Academic Senate, emphasized the importance of giving the students sufficient notice of the summer session cancellations so that they can make alternate plans.

Ms. Camille Goulet, General Counsel, recommended that the Board amend Com. No. BT3. as follows:

- WHEREAS, There is an unprecedented fiscal crisis in the State of California for the current fiscal year as well as subsequent fiscal years; and,
- WHEREAS, Class schedules have already been developed, published and offered for Summer 2009 and Fall 2009, and ensuing terms are currently under development; and,
- WHEREAS, Time is of the essence in making determinations to implement savings measure, which may require expedited processes; now, therefore, be it
- RESOLVED, That the Board of Trustees recommends that the Chancellor explore any and all options for any savings measures that will allow the District to pursue its core mission, including but not limited to the potential cancellation of summer session, minimization of additional assignments for employees, as well as any and all other potential savings measures; and be it further-
- RESOLVED, That the Board directs the cancellation of summer sessions starting on or after July 1, 2009; that the Board directs the Chancellor to bring a recommendation regarding Winter Intersession no later than June 24, 2009; and that the Board directs the Chancellor to give the Joint Labor Management Benefits Committee a specific dollar amount available for benefits for the coming year.**

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to amend Com. No. BT3. as noted.

Student Trustee Bustos inquired as to whether any of the colleges will have only one summer session starting on or after July 1, 2009.

Mr. Clerx responded that West Los Angeles College (WLAC) is scheduled to have only one summer session starting on or after July 1, 2009.

There was discussion regarding the impact that the cancellation of the summer sessions would have on the students.

Approve amendment

Student Trustee Advisory Vote: Aye (Bustos)
AMENDMENT APPROVED: 7 Ayes

Adopt Com. No. BT3. as amended

Student Trustee Advisory Vote: Aye (Bustos)
ADOPTED AS AMENDED: 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 Chancellor Drummond and action taken as indicated.

Chancellor Drummond deferred to Dr. Jamillah Moore, President, Los Angeles City College (LACC).

Dr. Moore reported that the LACC Mathematics Club has won the national championship for the third time in a row.

Chancellor Drummond deferred to Dr. A. Susan Carleo, President, Los Angeles Valley College (LAVC).

Dr. Carleo reported that LAVC has received a check for \$157,000 from the Southern California Gas Company as a rebate on energy costs resulting from the steam coils that are on top of the South Gymnasium at LAVC. She further reported that the LAVC Speech Team won first place in the Individual Events category and second place in the Overall Team category at the recent national competition. LAVC received more medals than any of the other 66 schools in attendance. The members of the Speech Team were presented with their awards by the Valley Economic Alliance during the *Steve Allen Excellence in Education Awards* ceremony that was held this morning.

Chancellor Drummond announced that at a luncheon of the Los Angeles Business Council being held tomorrow, the LACCD will receive an award in recognition of its excellent building program. He indicated that Trustee Mercer will be in attendance to accept the award for the LACCD.

CONSENT CALENDAR ITEMS

Matters Requiring a Majority Vote

President Candaele 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., HRD3., 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 Candaele 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 I. Authorize Service Agreements as it relates to agreements with several law firms to provide legal services to the District on an as-needed basis as directed by the General Counsel or her designee, Trustee Mercer inquired if these are the only law firms the District can use through 2012.

Ms. Goulet responded that the Board policy is to utilize these law firms first. The District will go outside this panel of law firms only if these firms do not have the necessary expertise to represent the District.

Com. No. BSD2. Ratifications for Business Services

Com. No. BSD4. Addendum – Authorize Contract with the County of Los Angeles for Police Services

Trustee Scott-Hayes inquired as to the annual cost of the contract for police and security services.

Chancellor Drummond responded that the annual cost is approximately \$13 million.

There was discussion regarding the scope of police services that will be provided under this contract.

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

With respect to Roman Numeral I. Authorize Professional Services Agreements Item I. as it relates to an agreement with MWW Group to provide public information outreach services for the LACCD Bond Program, Trustee Field indicated that the External Affairs Committee has recommended that the Board support this agreement.

With respect to Roman Numeral III. Authorize Amendment to Professional Service Agreement Item D. as it relates to an amendment to an agreement with Andersen Environmental to provide additional environmental consulting services Districtwide, Trustee Mercer inquired as to what types of services this firm provides and whether this is the only firm that the District utilizes for environmental consulting services.

Mr. Thomas Hall, Director, Facilities Planning and Development, responded that Andersen Environmental is not the only firm the District uses for this purpose. He indicated that the firm conducts inspections of real estate properties before the District purchases them to make sure any environmental issues can be corrected.

Trustee Scott-Hayes expressed her concern that the agreement would be for five years and inquired if the agreement can be authorized every one or two years.

Mr. Hall indicated that the goal is to have one firm stay with the project from beginning to end.

Trustee Field concurred with Trustee Scott-Hayes' concern. She inquired if this could be a two-year contract for \$80,000 as opposed to a five-year contract for \$200,000.

Ms. Goulet indicated that this item can be withdrawn until the regularly scheduled Board meeting of June 10, 2009 for the purpose of modifying the provisions of the agreement.

There being no objection, Roman Numeral III. Item D. was withdrawn as follows:

...

III. AUTHORIZE AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT

...

~~D. Authorize amendment No. 2 to Agreement No. 31089 with Andersen Environmental to provide additional environmental consulting services District wide from May 28, 2009 through May 27, 2014 at a cost not to exceed \$200,000 inclusive of eligible reimbursable expenses.~~

Withdrawn until the regularly scheduled Board meeting of June 10, 2009.

With respect to Roman Numeral IV. Authorize Design-Build Contracts as it relates to a Design-Build contract with Pankow Special Projects LP to provide design and construction for the Multi-Campus Retro-Commissioning Upgrades project at LACC and LAVC, Trustee Mercer inquired as to how design-build can be used for retro-commissioning upgrades.

Mr. Hall responded that design-build can be applied to projects with a cost of \$2.5 million or more. He indicated that the design-build method is not limited to new buildings, but can also be used for projects such as this retro-commissioning project.

With respect to Roman Numeral V. Authorize Amendment to Design-Build-Finance-Maintain Agreement as it relates to an amendment to an agreement with Chevron Energy Solutions to authorize spending authority for additional design-build services for the central plant utilities infrastructure project at Pierce College, Trustee Field inquired as to the members of the Energy Task Force and the members of the Energy Team and the relationship between the two groups.

Chancellor Drummond responded that the Energy Team consists of individuals from Build—LACCD. The Energy Task Force is headed by Mr. Ernest Moreno, President, East Los Angeles College (ELAC), and consists of Dr. Jamillah Moore, President, LACC; Dr. Jack E. Daniels III, President, Los Angeles Southwest College (LASC); Dr. Roland Chapdelaine, President, LATTG; Mr. Beaulieu; Mr. Marvin Martinez, Vice Chancellor, Economic and Workforce Development; Ms. Jeanette Gordon, Chief Financial Officer/Treasurer; and Mr. Don Gauthier, Academic Senate President, LAVC.

There was discussion regarding the functions of the Energy Task Force.

Trustee Field requested that complete reports be provided to the full Board by both the District Energy Team and the Energy Task Force.

Chancellor Drummond indicated that these reports would be provided to the Board in June or July 2009.

Mr. Hall noted the following amendment:

...

~~X. RATIFY SUBSTITUTIONS OF CONSTRUCTION SUBCONTRACTORS~~

~~Ratify the following actions regarding substitutions for Contract No. 31697 with L.A. Builders, Inc. for the Child Development Center project at Pierce College:~~

- ~~—Substitute ATC Cabinets for Stolo Cabinets for cabinetry work.~~
- ~~—Substitute L.A. Builders for Rucker Tile for ceramic tiles services.~~

~~**Background:** This contract was authorized by the Board of Trustees on May 7, 2008 (Com. No. FPD1). These substitutions were required due to the inability to meet the established construction schedule, and will be at no additional cost to the District. Funding is through the State Capital Outlay Program and Proposition A/AA Bond proceeds. Child Development Center 05P.6509.02, 15P.7509.02. Construction Phase.~~

Withdrawn.

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

Com. No. FPD3. Master Procurement Agreement for Laboratory Seating

Com. No. FPD4. Master Procurement Agreement for Ergonomic Equipment

Com. No. FPD5. Master Procurement Agreement for Physiology Data Acquisition

Com. No. FPD6. Master Procurement Agreement for Synchronized Time System

Com. No. FPD7. Master Procurement Agreement for Nursing Program Manikins

Com. No. FPD8. Master Procurement Agreement for Emergency Service Equipment

Com. No. FPD9. Master Procurement Agreement for Lobby Furniture

Com. No. FPD10. Master Procurement Agreement for Hospital Beds

Com. No. HRD1. Personnel Services Routine Actions

Com. No. HRD2. Memorandum of Understanding (MOU) Between the Los Angeles Community College District and the Los Angeles Community College District Administrator's Unit Represented by California Teamsters Public, Professional & Medical Employees Union, Local 911

Com. No. HRD3. Memorandum of Understanding (MOU) Between the Los Angeles Community College District and the American Federation of Teachers Faculty Guild, Local 1521 Regarding Differential for Faculty on Release/Reassigned Time

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

Com. No. PC1. Personnel Commission Action

Correspondence

Accept recommended disposition of Correspondence.

(Trustee Field left at 5:05 p.m.)

The Student Trustee's vote shall not apply to HRD1., HRD2., HRD3., PC1., and the Correspondence.

Student Trustee Advisory Vote: Aye (Bustos)

ADOPTED AS AMENDED: 6 Ayes

(Trustee Field returned at 5:07 p.m.)

Matters Requiring a Super Majority Vote

Com. No. BSD3. Authorize Lease Agreement

Motion by Trustee Pearlman, seconded by Trustee Scott-Hayes, to adopt Com. No. BSD3.

Student Trustee Advisory Vote: Aye (Bustos)

ADOPTED: 7 Ayes

Com. No. FPD11. Adopt Resolution of Intention to Lease Property for Joint Occupancy for Operation of the Farm Center at Pierce College

Motion by Trustee Field, seconded by Trustee Mercer, to adopt Com. No. FPD11.

Student Trustee Advisory Vote: Aye (Bustos)

ADOPTED: 7 Ayes

RECOMMENDATIONS FROM THE CHANCELLOR

Com. No. CH1. Elimination of Position in the Classified Service

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

Student Trustee Advisory Vote: Aye (Bustos)

ADOPTED: 7 Ayes

Public Hearing on Resolution of Necessity

President Candaele indicated that the Board will now conduct a hearing on the adoption of a resolution of necessity authorizing the acquisition of certain real property located at 2100 South Grand Avenue, Los Angeles, California. This property is owned by Al Gordon and Robina Gordon, Trustees of the Gordon Family Trust.

Under law, the only issues to be discussed at this hearing are:

1. Whether the public interest and necessity require the project;
2. Whether the project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury;
3. Whether the interest in real property sought to be acquired is necessary for the project; and,
4. Whether the District made a proper written offer to purchase the parcel of real property to be acquired for the project.

The amount of compensation to be paid for the property will not be addressed at this hearing.

Ms. Goulet indicated that this property is within the 30-year Master Plan for LATTTC. There has been an endeavor over an extended period of time to engage the property owner in discussions without success. Therefore, it is her recommendation to proceed to take the property by eminent domain.

President Candaele indicated that at this time he will open the hearing for comments by people who have filed a request to appear.

There being no speakers, President Candaele declared the hearing closed.

Com. No. FPD12. Adopt Resolution of Necessity to Acquire Real Property

Motion by Trustee Scott-Hayes, seconded by Trustee Field, to adopt Com. No. FPD12.

Student Trustee Advisory Vote: Aye (Bustos)

ADOPTED: 7 Ayes

NOTICE REPORTS AND INFORMATIVES

Com. No. ISD/A. [Informative] Notification of Student Travel

Presented by Chancellor Drummond.

Dr. Adriana Barrera, Deputy Chancellor, noted the following correction:

East Los Angeles College

Sixteen students and two faculty members from East Los Angeles College will travel to Austria, Germany, and Italy during the period June 23, 2009 to July 7, 2009 inclusive.

PUBLIC AGENDA REQUESTS (Category B)

Oral Presentations

None.

Proposed Actions

None.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

Trustee Field congratulated Mr. Beaulieu and Mr. Gauthier for having their article entitled "Sustainability and the Academic Senate" published in the Senate Rostrum publication of the Academic Senate for California Community Colleges.

ADJOURNMENT

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

Without objection, so ordered.

The regular meeting adjourned at 5:31 p.m.

ADRIANA D. BARRERA
Acting 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 August 19, 2009