

**LOS ANGELES COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES**

**MINUTES – ANNUAL ORGANIZATIONAL AND REGULAR MEETING**

Wednesday, July 14, 2010 • 12:30 p.m.  
Los Angeles Trade-Technical College  
South Campus Technology Building • Room TE 101 – First Floor  
400 W. Washington Boulevard • Los Angeles, California 90015

The annual organizational and regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 12:34 p.m. with President Mona Field 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. Interim Student Trustee Rodney D. Robinson was not present (arrived at 2:30 p.m.).

Deputy Chancellor/Acting Chancellor Adriana D. Barrera was present.

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

None.

**RECESS TO CLOSED SESSION**

Motion by Trustee Pearlman, seconded by Trustee Santiago, to recess to Closed Session in accordance with The Ralph M. Brown Act, under the Government Code and the Education Code. The Board will discuss the matters on the Closed Session agenda as posted (see Attachment A).

*APPROVED: 7 Ayes*

The annual organizational and regular meeting recessed to Closed Session at 12:35 p.m.

(Interim Student Trustee Robinson arrived at 2:30 p.m.)

**RECONVENE ANNUAL ORGANIZATIONAL AND REGULAR MEETING**

The annual organizational and regular meeting of the Board of Trustees of the LACCD reconvened at 3:35 p.m. with President Mona Field 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. Interim Student Trustee Rodney D. Robinson was present.

Deputy Chancellor/Acting Chancellor Adriana D. Barrera was present.

Trustee Park led the Pledge of Allegiance to the Flag.

**ELECTION OF OFFICERS: PRESIDENT AND VICE PRESIDENT(S)**

President Field declared that nominations were open for the position of President of the Board of Trustees for 2010-2011. She stated that a second is not required under *Robert's Rules of Order*.

Trustee Pearlman nominated Trustee Mercer.

Interim Student Trustee Robinson nominated Trustee Pearlman.

Trustee Pearlman declined the nomination.

There being no further nominations. President Field declared the nominations closed. She requested that the Trustees indicate their vote by a roll call.

*The following votes were recorded: Interim Student Trustee Advisory Vote: Aye (Robinson)  
7 Ayes (Candaele, Field, Mercer, Park, Pearlman, Santiago, Scott-Hayes)*

Trustee Field relinquished the gavel to President-elect Mercer.

President Mercer declared that nominations were open for the position of First Vice President of the Board of Trustees for 2010-2011. She stated that a second is not required under *Robert's Rules of Order*.

Trustee Park nominated Trustee Santiago.

Interim Student Trustee Robinson nominated Trustee Pearlman.

Trustee Pearlman declined the nomination.

There being no further nominations. President Mercer declared the nominations closed. She requested that the Trustees indicate their vote by a roll call.

*The following votes were recorded: Interim Student Trustee Advisory Vote: Aye (Robinson)  
7 Ayes (Candaele, Field, Mercer, Park, Pearlman, Santiago, Scott-Hayes)*

President Mercer entertained a motion to open nominations for the position of Second Vice President of the Board of Trustees for 2010-2011. She stated that this motion requires a second.

Motion by Trustee Pearlman, seconded by Trustee Scott-Hayes, to open nominations for the position of Second Vice President.

*The following votes were recorded: Interim Student Trustee Advisory Vote: Aye (Robinson)  
7 Ayes (Candaele, Field, Mercer, Park, Pearlman, Santiago, Scott-Hayes)*

President Mercer declared that nominations were open for the position of Second Vice President of the Board of Trustees for 2010-2011. She stated that a second is not required under *Robert's Rules of Order*.

Interim Student Trustee Robinson nominated Trustee Pearlman.

There being no further nominations. President Mercer declared the nominations closed. She requested that the Trustees indicate their vote by a roll call.

*The following votes were recorded: Interim Student Trustee Advisory Vote: Aye (Robinson)  
7 Ayes (Candaele, Field, Mercer, Park, Pearlman, Santiago, Scott-Hayes)*

## **APPROVAL OF MINUTES**

None.

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

Mr. David Beaulieu, President, District Academic Senate (DAS), expressed his concerns regarding the lack of adequate shared governance with respect to the Bond Program and alleged violations of proper procedure with respect to the recent hiring of a Vice President at Los Angeles Trade-Technical College (LATTC).

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

### Oral Presentations

On behalf of the Van de Kamps Coalition, Ms. Laura Gutierrez and Ms. Miki Jackson addressed the Board regarding the Van de Kamp Innovation Center.

### 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 – July 14, 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 Scott-Hayes reported on the morning's Planning and Student Success Committee meeting at which reports were presented regarding the accreditation follow-up responses and future plans for the Cityside colleges (City, East, and Trade-Tech) and Student Learning Outcomes for the Seaside colleges (Harbor, Southwest, and West).

Trustee Pearlman reported on the morning's Infrastructure Committee meeting at which there were presentations regarding the Los Angeles Southwest College (LASC) Middle College High School, the Los Angeles Harbor College (LAHC) marquee sign renovation, Master Plan Updates for LAHC and West Los Angeles College (WLAC), and an evaluation review of the College Project Managers.

### Com. No. BT1. Trustee Authorizations

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

*Interim Student Trustee Advisory Vote: Aye (Robinson)*

**ADOPTED: 7 Ayes**

Com. No. BT2. Elect/Select Trustee Representatives

Motion by Trustee Santiago, seconded by Trustee Scott-Hayes, that Trustee Tina Park be elected to serve as the Los Angeles Community College District's governing board voting representative to elect members to the Los Angeles County Committee on School District Organization. (Education Code §35023/72403); and that Trustee Tina Park be selected to serve as the Los Angeles Community College District's governing board Annual Representative to the Los Angeles County School Trustees Association for 2010-2011.

*Interim Student Trustee Advisory Vote: Aye (Robinson)*  
*ADOPTED: 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 Deputy Chancellor/Acting Chancellor Barrera and action taken as indicated.

Recognition of College President

Deputy Chancellor/Acting Chancellor Barrera and President Mercer presented a certificate of recognition and appreciation to Dr. Linda Spink, President, LAHC, on the occasion of her retirement.

Dr. Spink expressed her appreciation to the Board members and Deputy Chancellor/Acting Chancellor Barrera for their support during her presidency for the past ten years.

**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 Interim Student Trustee's vote shall not apply to HRD1., HRD2., PC1., 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 and Finance Routine Report

Com. No. BSD1. Business Services Routine Report

Ms. Camille Goulet, General Counsel, noted that Roman Numeral III. Ratify Amendment of Service Agreements Item B. is being withdrawn as follows:

...

**~~B. Ratify an amendment to renew agreement with the Los Angeles Trade-Technical College Foundation and the Los Angeles Community College District on behalf of Los Angeles Trade-Technical College to provide the loan of an employee, Jiah (Rhea) Chung to the Foundation to provide services including the oversight of advancement and government relations from January 1, 2010 to December 31, 2010, inclusive. The Foundation is to reimburse the College for 50% of the Executive Director of the Los Angeles Trade-Technical College Foundation salary.~~**

~~**Background:** This agreement was approved by the Board of Trustees on April 29, 2009 (Com. No. BSD1). This amendment will continue to provide the College Foundation with the loan of a District employee who can provide the needed services of the Foundation as needed at this time.~~

**Withdrawn.**

Com. No. BSD2. Ratifications for Business Services

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

With respect to Roman Numeral II. Authorize Amendment to Professional Service Agreement Item C. as it relates to an amendment to an agreement with URS Corporation to implement modifying authorization language regarding a requirement of the Board of Trustees of the LACCD for the services of the Program Management contractor and associated subcontractors allowing a multiplier on raw salary rates which does not exceed 2.0 for overhead expenses, exclusive of profit or eligible reimbursable expenses, Trustee Candaele requested that the Board be provided with information as to the amount of money this will save the District.

With respect to Roman Numeral IV. Ratify Change Order and Authorize Acceptance of Completion of Construction Contract Item D. as it relates to actions to a design-build agreement with Chevron Energy Solutions Company for the Campus Improvements – Central Plant and Utilities Infrastructure project at Los Angeles Valley College (LAVC), Trustee Park requested information as to how much the District is saving with carbon footprints.

Mr. Larry Eisenberg, Executive Director, Facilities Planning and Development, indicated that he would provide this information.

Com. No. HRD1. Personnel Services Routine Actions

Com. No. HRD2. Approve Revisions to Master Health Benefits Agreement

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

Com. No. PC1. Personnel Commission Actions

Correspondence

Accept recommended disposition of Correspondence.

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

*Interim Student Trustee Advisory Vote: Aye (Robinson)*

*ADOPTED AS AMENDED: 7 Ayes*

**Matters Requiring a Super Majority Vote**

Com. No. FPD2. Ratify an Emergency Resolution for the Removal of Discovered Hazardous Material in the Vicinity of the Child Development Center (CDC) Water Softening System Project at Los Angeles Southwest College

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to adopt Com. No. FPD2.

*Interim Student Trustee Advisory Vote: Aye (Robinson)*

*ADOPTED: 7 Ayes*

## RECOMMENDATIONS FROM THE CHANCELLOR

### Com. No. CH1. Adopt Whistleblower Policy

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

There was discussion regarding the Whistleblower Policy with respect to alternate reporting for conflicts of interest.

Ms. Sandra Lepore, Executive Secretary, AFT College Staff Guild Los Angeles, recommended the following amendment:

...

#### D. Review Committee

...

1. Submission to Review Committee – If the DIA’s investigation determines that there is evidence of illegal order or improper governmental activity as defined by Education Code section 87162(b) and (c) by people acting on behalf of the District that warrants corrective action, the DIA will submit a written report to the Review Committee. The Review Committee will be made up of three ~~people~~ **employees** designated by the Chancellor, with designated alternates in the event of a conflict of interest. The Review Committee members will be employees with diverse knowledge and skills, and be expected to serve for a two-year period. Neither the DIA nor the Review Committee will determine or recommend the appropriate discipline or action to be taken.

Motion by Trustee Field, seconded by Trustee Santiago, to amend Com. No. CH1. as noted.

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

*Interim Student Trustee Advisory Vote: Aye (Robinson)*  
*ADOPTED AS AMENDED: 7 Ayes*

### Com. No. CH2. Appointment to the District Citizens’ Oversight Committee for Propositions A/AA and Measure J

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

Mr. Eisenberg indicated that Mr. Daniel Swartz, the individual being appointed, is a member of the Downtown Business Improvement District, which qualifies him as a taxpayer representative under Proposition 39.

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

### Com. No. CH3. Adopt Resolution Fixing the Employer’s Contribution Under the Public Employees’ Medical and Hospital Care Act 1998 (Attachments #1-#7)

### Com. No. CH4. Adopt Resolution Fixing the Employer’s Contribution Under the Public Employees’ Medical and Hospital Care Act Hired Between February 11, 1992 and June 30, 1998 (Attachments #1-#7)

### Com. No. CH5. Adopt Resolution Fixing the Employer’s Contribution Under the Public Employees’ Medical and Hospital Care Act Hired on or After July 1, 1998 (Attachments #1-#7)

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to adopt Com. Nos. CH3., CH4., and CH5.

Ms. Lepore recommended the following amendment to Attachments #1-#7 in Com. Nos. CH3., CH4., and CH5.:

...

RESOLVED, (a) . . .

Los Angeles Community College District's preference is to use all Regional Rates; however, to accommodate current CalPERS system restraints, it has been agreed that CalPERS will use the Los Angeles Region for retired members and active employees residing in the Los Angeles Region, and the Out of State Region for retired members residing in all other regions. When CalPERS acquires the capability to bill premiums utilizing all Regional Rates, the Los Angeles Community College District's contribution to premiums will be limited to the maximum of the applicable Regional Rate for each retiree **employee/annuitant only, employee/annuitant and one dependent, or employee/annuitant and two or more dependents.**

There being no objection, the amendment was accepted by the Board.

*Interim Student Trustee Advisory Vote: Aye (Robinson)*  
*COM. NOS. CH3., CH4., AND CH5., ADOPTED AS AMENDED: 7 Ayes*

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Motion by Trustee Field, seconded by Trustee Santiago, to take out of order the Public Hearing on the Final Supplemental Environmental Impact Report for the West Los Angeles College 2009 Facilities Master Plan and the West Los Angeles College 2009 Facilities Master Plan.

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

Public Hearing on the Final Supplemental Environmental Impact Report for the West Los Angeles College 2009 Facilities Master Plan and the West Los Angeles College 2009 Facilities Master Plan

President Mercer declared the public hearing open regarding the Final Supplemental Environmental Impact Report for West Los Angeles College, which she would refer to as the "West SEIR."

Documents entitled "Draft West Los Angeles College 2009 Facilities Master Plan Supplemental Environmental Impact Report March 2010" and Final West Los Angeles College 2009 Facilities Master Plan Supplemental Environmental Impact Report Response to Comments June 2010" were distributed.

Ms. Betsy Regalado, Acting President, WLAC, introduced Ms. Wendy Lockwood, California Environmental Quality Act (CEQA) Consultant, Sirius Environmental.

Mr. Steven Jacobson, Design Manager, Turner Construction Company, gave a PowerPoint presentation regarding the WLAC SEIR.

Ms. Lockwood discussed the comparison between the 2005 SEIR mitigation measures and the 2010 SEIR mitigation measures.

Public Comment

President Mercer entertained a motion to allocate two minutes per speaker regarding the WLAC SEIR.

Motion by Trustee Santiago, seconded by Interim Student Trustee Robinson, to allocate two minutes per speaker.

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

The following individuals addressed the Board in support of the WLAC Final SEIR and emphasized the importance of moving forward towards completion of the college construction projects:

Ms. Rebecca Tillberg, Ms. Fran Leonard, Dr. Judith Ann Friedman, Ms. Sammi Plantenga, Mr. Abel Rodriguez, Mr. Jim Adams, Mrs. Karen Burzynski, Ms. Eileen Gnehm, Mr. Scott Stamler, Ms. Judy Chow, Mr. Ahmed Mohsin, Mr. Toby Edinger, Mr. Paul Brenier, Mr. Preston Cope, Mr. J. Guadalupe Flores, Mr. Paul Hogan, Mr. Michael Rodriguez, Mr. Ken Lin, Mr. Haris Harzic, Mr. Ruben Zuniga, Mr. Kevin Zierden, Mr. Alex Avila, Mr. Allen Lynn, Ms. Kate Barlow, Mr. Mike Gerez, Ms. LaShawn Penson, Ms. Paula Carlson, and Mr. John Gevez.

Mr. Mark Salkin and Mr. Charles Herbertson expressed their concern that further negotiations need to be held regarding the WLAC SEIR.

Ms. Rosalind La Briola expressed her concern that the Memorandum of Understanding (MOU) was unilaterally removed from the WLAC Final SEIR.

Scheduled speaker Mr. Gregory West withdrew his request to address the Board.

With respect to the remarks by Ms. Penson regarding the elimination of bus service onto the WLAC campus, President Mercer requested that a report be provided to the Board regarding the bus situation at WLAC.

Ms. Goulet indicated that the WLAC Final SEIR will be presented for action at the regularly scheduled Board meeting of August 11, 2010.

President Mercer declared the public hearing closed.

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Public Hearing on a Resolution of the Board of Trustees of the Los Angeles Community College District Ratifying Preliminary Findings and Making Updated Findings Regarding Renewable Energy Optimization Program

President Mercer declared the public hearing open regarding the findings to be made on Com. No. FPD3. for the energy savings contract amendment with Siemens, which she would refer to as “ESCO Findings.”

Mr. Eisenberg presented an overview of the resolution ratifying the preliminary findings and making updated findings regarding the renewable energy optimization program for LATTC.

There was discussion regarding the process for assessing the Renewable Energy Optimization Program and determining the cost savings for the District.

Public Comment

None.

President Mercer declared the public hearing closed.

Com. No. FPD3. Authorize a Resolution Ratifying Preliminary Findings and Making Updated Findings Regarding Renewable Energy Optimization Program

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

*Interim Student Trustee Advisory Vote: Aye (Robinson)*

*ADOPTED: 7 Ayes*

Public Hearing on the Third Addendum to the Final Environmental Impact Report for Los Angeles Harbor College and the 2010 Modifications to the Los Angeles Harbor College Master Plan – Campus Master Plan and Architectural Guidelines

President Mercer declared the public hearing open regarding the Third Addendum to the Final Environmental Impact Report for Los Angeles Harbor College, which she would refer to as the “Harbor EIR Addendum.”

Dr. Spink deferred to Mr. David Hart, Principal, Steinberg Architects.

Mr. Hart gave a PowerPoint presentation regarding the LAHC Master Plan.

Public Comment

None.

President Mercer declared the public hearing closed.

**NOTICE REPORTS AND INFORMATIVES**

Com. No. CH/A. [Notice] Revise Board Rule 7702.10

Com. No. CH/B. [Notice] Revise Board Rule 101700, et seq.

Com. No. ISD/A. [Notice] Revise Board Rules 6201.16, 6204, 6405, and 6705.20

Noticed by Deputy Chancellor/Acting Chancellor Barrera.

**PUBLIC AGENDA REQUESTS (Category B)**

Oral Presentations

None.

Proposed Actions

None.

**ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS**

Trustees Scott-Hayes and Pearlman expressed their appreciation to Trustee Field for her outstanding leadership during her tenure as Board President for the past year.

Deputy Chancellor/Acting Chancellor Barrera expressed her appreciation to Dr. Mary Gallagher, Vice President, Administration, LATTC; Mr. William Smith, Facilities Manager, LATTC; the LATTC Facilities staff; and Mr. Joseph Guerrieri, Media Services, LATTC, for their hospitality and assistance at today’s Board meeting.

Dr. A. Susan Carleo, President, LAVC, announced that Mr. Kyle Ballew, Student, LAVC, won the pole vault competition at the United States Track and Field Junior Outdoor Championship in June 2010, which earned him the title of United States National Junior Champion.

**ADJOURNMENT**

Motion by Trustee Field, seconded by Interim Student Trustee Robinson, to adjourn the Board meeting in memory of Mr. Harry Smith, the husband of Ms. Judith Valles, President, Los Angeles Mission College (LAMC); and Mr. Damian Barajas, the father of Ms. Leticia Barajas, Dean of Academic Affairs, LATTC.

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

The regular meeting adjourned at 6:23 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 \_\_\_\_\_ September 15, 2010