

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

MINUTES – ANNUAL ORGANIZATIONAL AND REGULAR MEETING

Wednesday, July 9, 2008 • 12:30 p.m.
Educational Services Center • Board Room
770 Wilshire Boulevard • Los Angeles, California 90017

The annual organizational and regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 12:36 p.m. with Trustee Georgia L. Mercer presiding in the absence of a presiding officer.

On roll call the following members were present: Mona Field, Georgia L. Mercer, Angela J. Reddock, and Miguel Santiago. Absent: Kelly G. Candaele (arrived at 12:38 p.m.), Nancy Pearlman (arrived at 12:38 p.m.), and Sylvia Scott-Hayes (arrived at 12:38 p.m.). Student Trustee Rose Bustos was not present (arrived at 3:14 p.m.).

Chancellor Marshall E. Drummond was present.

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

None.

RECESS TO CLOSED SESSION

Motion by Trustee Santiago, 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: 4 Ayes

The annual organizational and regular meeting recessed to Closed Session at 12:37 p.m.

(Trustees Candaele, Pearlman, and Scott-Hayes arrived at 12:38 p.m.)
(Student Trustee Bustos arrived at 3:14 p.m.)

RECONVENE ANNUAL ORGANIZATIONAL AND REGULAR MEETING

The annual organizational and regular meeting of the Board of Trustees of the LACCD reconvened at 3:44 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, Miguel Santiago, and Sylvia Scott-Hayes. Student Trustee Rose Bustos was present.

Deputy Chancellor Adriana Barrera was present.

FLAG SALUTE

Trustee Field led the Pledge of Allegiance to the Flag.

ELECTION OF OFFICERS

President Scott-Hayes declared that nominations were open for the position of President of the Board of Trustees for 2008-2009. She stated that a second is not required under *Robert's Rules of Order*.

Trustee Mercer nominated Trustee Kelly G. Candaele.

Trustee Field seconded the nomination.

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

The following votes were recorded: 7 Ayes (Candaele, Field, Mercer, Pearlman, Reddock, Santiago, Scott-Hayes)

Trustee Scott-Hayes relinquished the gavel to President-elect Candaele.

President Candaele declared that nominations were open for the position of First Vice President of the Board of Trustees for 2007-2008. He stated that a second is not required under *Robert's Rules of Order*.

Trustee Scott-Hayes nominated Trustee Field.

Trustee Reddock seconded the nomination.

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

The following votes were recorded: 7 Ayes (Candaele, Field, Mercer, Pearlman, Reddock, Santiago, Scott-Hayes)

The Board members expressed their appreciation to Trustee Scott-Hayes for her leadership as President of the Board during the past year.

APPROVAL OF MINUTES

Motion by Trustee Field, seconded by Trustee Mercer, to approve the following minutes:

Regular Meeting and Closed Session – April 23, 2008
Regular Meeting and Closed Session – May 7, 2008
Regular Meeting and Closed Session – May 21, 2008

APPROVED: 7 Ayes

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

Mr. Frank Torres, Lobbyist, SEIU Local 99, introduced Mr. Charles Ruffin, Executive Board Secretary, SEIU Local 99, and Custodian, Los Angeles Trade-Technical College (LATTC).

Mr. Ruffin discussed his concerns regarding the change of the start time for "B" shift employees at LATTC to 3:15 a.m. as a result of the elimination of the "C" shift for Local 99 employees. He indicated that the time change is a violation of the Local 99 contract and requested that the District go back to a starting time of 4:30 a.m. for the "B" shift.¹

¹ According to "Article 18 Special Pay Practices, B. Shift Differential," *Agreement Between the Los Angeles Community College District and the Los Angeles City and County School Employees Union Local 99, SEIU* (July 1, 2005 – June 30, 2008), p. 67, there is no contractual start time to any shift.

Dr. A. Susan Carleo, Acting President, Los Angeles Valley College (LAVC), reported that the starting times for the "A" and "B" shifts were formally negotiated with Local 99. She will review the contract to determine if there needs to be discussion regarding the language.

Ms. Camille Goulet, General Counsel, recommended that further information be obtained and a report be provided to the Board regarding this matter.

Mr. Torres introduced Mr. Fernando Sosa, Executive Board Member, SEIU Local 99, and Maintenance Assistant, LATTTC.

Mr. Sosa discussed his concerns regarding the need to hire additional maintenance employees to clean the new facilities on the campuses.

Dr. Adriana Barrera, Deputy Chancellor, indicated that this issue will be discussed at the Chancellor's Cabinet meeting on Friday, July 11, 2008 and a report will be provided regarding the results of this discussion.

Trustee Reddock requested that this issue be discussed at a meeting of the Infrastructure Committee.

Dr. Barrera indicated that several of the colleges have submitted requests to hire custodians. She will obtain information as to how many are replacements and how many are new positions and include this information in the report to the Infrastructure Committee.

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 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 9, 2008

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 accepted a settlement agreement with an employee that resolves both pending a discipline matter and a civil action. A copy of the settlement agreement is available from the Office of General Counsel upon request. The vote was unanimous.

The Board took no further actions that The Ralph M. Brown Act requires to be reported.

Reports of Standing and Special Committees

No reports.

Com. No. BT1. Conference Attendance Ratification

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

Authorize payment of necessary expenses for Georgia L. Mercer, member of this Board of Trustees, to have attended the Strategic Planning 10C Committee meeting held on May 14, 2008 in Sacramento, California.

Student Trustee Advisory Vote: Aye (Bustos)

ADOPTED: 7 Ayes

Com. No. BT2. Elect/Select Trustee Representatives

Motion by Trustee Mercer, seconded by Trustee Scott-Hayes, that Trustee Miguel Santiago 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 Santiago 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 2008-2009.

Student Trustee Advisory Vote: Aye (Bustos)

ADOPTED: 7 Ayes

REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS

No reports.

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., and the Correspondence, and with the provision that Com. No. FPD1. Roman Numeral IV. will be separated for the vote.

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to adopt the Consent Calendar Items as amended on Matters Requiring a Majority Vote with the exception of Com. No. FPD1. Roman Numeral IV.

The Trustees discussed the following Consent Calendar agenda items:

Com. No. BF1. Budget and Finance Routine Report

Com. No. BF2. 2008-2009 Tentative Budget Adoption

Com. No. BF3. Authorization to Make Appropriation Transfers

Com. No. BSD1. Business Services Routine Report

With respect to Roman Numeral II. Ratify Amendment of Service Agreement as it relates to an amendment to extend the agreement with the Benefits Services Center, Trustee Field commended the members of the Joint Labor Management Benefits Committee for their efforts on behalf of the employees.

With respect to Roman Numeral III. Ratify Amendment of Contract Education Agreements Items A. and B. as they relate to agreements for Los Angeles City College (LACC) to provide credit courses in collaboration with the UCLA School of Dentistry, Trustee Mercer inquired as to the approximate number of students that are enrolled in these two programs.

Dr. Kathleen Burke-Kelly, Vice President, Academic Affairs, LACC, responded that approximately 20 students are enrolled in each program. She indicated that these programs are separately accredited by the American Dental Association. The collaboration allows students to go through the LACC two-year dentistry program and then continue in the dentistry program at UCLA.

With respect to Roman Numeral IV. Authorize Placement of Insurance as it relates to the placement of insurance policies through Arthur J. Gallagher & Co., the District's broker of record, Trustee Mercer inquired as to the \$1 million deductible for liability.

Mr. Tom Boobar, Area Assistant Vice President-Producer, Arthur J. Gallagher & Co., responded that the liability is for employment practice liability including claims such as wrongful termination and discrimination. He explained the costs and the coverage for these insurance policies.

Com. No. BSD2. Ratifications for Business Services

With respect to Item K. Short-term Agreements Prepared at Site Locations for Services, Lease & Lease Purchase of Equipment, and Lease of Facilities \$5,000 or Less per Year, with respect to an agreement between Los Angeles Southwest College (LASC) and 20 facilitators to provide workshops relative to the statewide curriculum alignment project, Trustee Field inquired if the facilitators are faculty at LASC.

Dr. Jack E. Daniels III, President, LASC, responded that they are faculty from the region, not just LASC.

Trustee Field inquired if these individuals are going to provide workshops at the District colleges.

Dr. Daniels indicated that he would obtain this information and provide it to the Board.

Dr. Barrera noted the following amendment:

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F. SERVICE AGREEMENTS

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4500114829 District. Agreement with Beth Farb to provide team building and communications training services for designated District staff during the period March 1, 2008 to ~~July 15~~, September 30, 2008, inclusive. Total cost not to exceed: \$25,000.

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

With respect to Roman Numeral I. Authorize Professional Services Agreements Item G. as it relates to an agreement with Kosmont and Associates, Inc. to provide a review of economic forecast information and develop a report regarding the loss of middle-class jobs in the Los Angeles economy, Trustee Field inquired as to what happened to a similar report that was prepared by the Madrid Consulting Group.

Dr. Barrera responded that the data from the Madrid report was difficult to work with.

Mr. Larry Eisenberg, Executive Director, Facilities Planning and Development, indicated that the Kosmont report will include specific economic data that will contribute to a public understanding of the District's need for job development and the expected development of the green economy.

Trustee Field requested that Kosmont and Associates, Inc. review the data from the Madrid report to make sure they do not duplicate the research that the District has already paid for.

Trustee Reddock requested that when the report is completed by Kosmont and Associates, Inc., it be discussed at a meeting of the Economic and Workforce Development Committee.

With respect to Roman Numeral III. Authorize Amendment of Professional Services Agreements Item F. as it relates to an amendment to an agreement with Public Private Ventures (PPV) to provide additional real estate-based revenue enhancement consulting services for all District college campuses and their satellites at a cost not to exceed \$480,000 for the second year of this three-year agreement, Trustee Scott-Hayes indicated that the last time the agreement with PPV was discussed, the amount had been reduced. She inquired as to the reason for the cost increase.

Mr. Eisenberg responded that the previous amount was \$1.2 million for two years. The new amount is \$480,000 as noted.

Trustee Field inquired as to whether there is a guarantee that the projects at Los Angeles Trade-Technical College (LATTC) and West Los Angeles College (WLAC) will be finished by the ending date of the agreement—February 7, 2010.

Mr. Eisenberg responded that the work on the Washington Boulevard property at LATTC will have several years of additional activity. He indicated that Requests for Proposals (RFPs) are ready to be released for Lot 7 and the 10100 Jefferson Boulevard property at WLAC. The RFPs will be presented to the Board with the final recommended action.

There was discussion regarding the projects at LATTC and WLAC and the dollar amount being requested to complete them.

With respect to Roman Numeral I. Authorize Professional Services Agreements Item C. as it relates to an agreement with CCS Group to provide application guidance and assistance to LACC for obtaining formal Education Center status from the State of California for the Northeast Campus, Trustee Mercer inquired as to why the District is seeking this status so quickly.

Dr. Burke-Kelly responded that if the Northeast Campus gets Education Center status, LACC will receive an additional \$1 million for operating expenses.

With respect to Roman Numeral I. Item E. as it relates to agreements with three firms to provide safety management services on an as-needed basis for projects at all District colleges and their satellites at a cost not to exceed \$1 million per firm, Trustee Mercer inquired as to whether the contractors should be developing these services instead of the District.

Mr. Eisenberg responded that many of the participants in the construction program do not act in a completely safe manner. Having people who are trained in safety management on site to monitor everyone who comes within the construction project site will prevent major costs to the District.

With respect to Roman Numeral IV. Authorize Renewal of Professional Services Agreement as it relates to the renewal of an agreement with MWW Group for an additional six months of service, Trustee Pearlman requested that this item be withdrawn and discussed at an Infrastructure Committee meeting with respect to why the District is not going through a competitive bidding process.

Mr. Eisenberg indicated that he does not have any problems with withdrawing this item and discussing it in further detail at an Infrastructure Committee meeting. He indicated that this item is intended as a short-term extension of the present contract. At the end of the contract, there would be a competitive process to select a new public relations firm to assist the District with Bond Program responsibilities.

Trustee Reddock requested that MWW Group be requested to provide an update regarding its activities either at an Infrastructure Committee meeting or a Committee of the Whole meeting.

President Candaele inquired of Trustee Pearlman if she would like to separate this item for the vote.

Trustee Pearlman responded that she would like to separate this item for the vote.

President Candaele indicated that Com. No. FPD1. Roman Numeral IV. would be separated for the vote.

Trustee Pearlman requested that a report be provided regarding the status of the Bond Program public relations services that MWW Group is providing to the District.

Mr. Eisenberg noted the following amendment:

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VIII. RATIFY CONSTRUCTION CONTRACT

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- B. **Ratify Authorize** a contract with CSI Electrical Contractors, Inc. to provide structured cabling and networking services for the Allied Health and Sciences project at Los Angeles Valley College at a cost not to exceed \$1,175,296 **effective July 10, 2008**.

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Com. No. HRD1. Personnel Services Routine Actions

Com. No. HRD2. Employment Actions Regarding Administrative Employees

Com. No. ISD1. Authorize the CCC-501 Applications for Approval – New Credit Programs

Com. No. ISD2. Approval of New Courses

Com. No. ISD3. Approval of New Noncredit Courses

Com. No. ISD4. Authorization of Student Travel

Com. No. PC1. Personnel Commission Actions

Accept Recommended Disposition of Correspondence

Student Trustee Advisory Vote: Aye (Bustos)

ADOPTED AS AMENDED WITH THE EXCEPTION OF COM. NO. FPD1. ROMAN NUMERAL IV., WHICH WAS SEPARATED FOR THE VOTE: 7 Ayes

Com. No. FPD1. Facilities Planning and Development Routine Report, Roman Numeral IV. Authorize Renewal of Professional Services Agreement

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to adopt Com. No. FPD1. Roman Numeral IV.

Student Trustee Advisory Vote: Aye (Bustos)

*ADOPTED: 6 Ayes (Candaele, Field, Mercer, Reddock, Santiago, Scott-Hayes)
1 Abstention (Pearlman)*

Matters Requiring a Super Majority Vote

Com. No. FPD2. Authorize the Negotiation of a Joint Occupancy Agreement with the Los Angeles City College Foundation and First Class Vending, Inc. for the Development and Operation of a Coffee House

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

Student Trustee Advisory Vote: Aye (Bustos)

ADOPTED: 7 Ayes

RECOMMENDATIONS FROM THE CHANCELLOR

None.

NOTICE REPORTS AND INFORMATIVES

Com. No. HRD/A. [Notice] Amend Board Rules 7503.10 Standard Mileage Rates and 10711. Transportation Cost

Noticed by Dr. Barrera.

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

Presented by Dr. Barrera.

PUBLIC AGENDA REQUESTS (Category B)

Oral Presentations

None.

Proposed Actions

None.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

Trustee Scott-Hayes reported that yesterday she and Mr. Gary Colombo, Vice Chancellor, Institutional Effectiveness, met with the Board of Education of the Los Angeles Unified School District (LAUSD) to present an update regarding the partnership between the LACCD and the LAUSD. She indicated that another joint meeting is being planned for November 2008.

Trustee Reddock congratulated Mr. Eisenberg and his staff for the recent article in The Los Angeles Times regarding the District's sustainability efforts. With respect to the concerns that were raised at the Board meeting of June 18, 2008 regarding the performance of Sinanian Development on a construction project at Los Angeles Mission College (LAMC), she inquired if there is an update with respect to the District's progress with Sinanian Development.

Mr. Eisenberg responded that he began working with individuals in the California Community Colleges (CCC) Chancellor's Office to clarify and change the funding cycle for the project. Approval was granted by the CCC Chancellor's Office to cancel the contract with Sinanian Development. A rebidding process for the LAMC project will be conducted. He indicated that he and Mr. James Sohn, Build—LACCD, met with Mr. Sinanian to discuss his general approach to the District's projects across the college. The firm pledged that they would "step up the quality" of their work across the numerous projects in which they are involved. Mr. Sinanian has expressed his willingness to appear before the Board of Trustees to discuss his firm's approach to building and their commitment to the District. If the Board is interested, this could be scheduled in a committee meeting or as a general public comment presentation at a Board meeting.

Trustee Reddock requested that Mr. Sinanian appear at an Infrastructure Committee meeting.

Trustee Mercer requested that Mr. Sinanian appear at a Board meeting to discuss all of his firm's contracts with the District.

Mr. Eisenberg indicated that he would arrange this.

Trustee Reddock requested that the LACCD Sheriff's Task Force present an update regarding their activities and recommendations.

Dr. Barrera indicated that the LACCD Sheriff's Task Force recently hired a new consultant who is conducting assessments at all of the colleges. She will arrange for a full report to be presented by the consultant to the Board at an upcoming Board meeting.

Dr. Linda Spink, President, Los Angeles Harbor College (LAHC), reported that LAHC has been attempting to negotiate with the City of Los Angeles Department of Recreation and Parks for leasing or permit parking across the street from the college with no success. A group of students attended a hearing of the Recreation and Parks Commission yesterday and within one day collected almost 1,000 signatures on a petition. Due to the students' efforts, the Commission directed its staff to approve the college's request.

ADJOURNMENT

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

Without objection, so ordered.

APPROVED: 7 Ayes

The annual organizational and regular meeting adjourned at 5:02 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:

Kelly G. Candaele
President of the Board

Date _____ August 20, 2008