

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, July 27, 2011 • 12:30 p.m.
Educational Services Center • Board Room
770 Wilshire Boulevard • Los Angeles, California 90017

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 12:44 p.m. with President Miguel Santiago presiding.

On roll call the following members were present: Mona Field, Tina Park, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Absent: Kelly Candaele (arrived at 12:45 p.m.) and Nancy Pearlman (arrived at 12:48 p.m.). Student Trustee Amber I. Barrero was not present (arrived at 12:48 p.m.).

Chancellor Daniel J. LaVista was present.

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

None.

(Trustee Candaele arrived at 12:45 p.m.)

RECESS TO CLOSED SESSION

Ms. Camille Goulet, General Counsel, indicated that in addition to the posted Closed Session matters, the Board will discuss Morillo Construction vs. LACCD.

Motion by Trustee Svonkin, seconded by Trustee Park, to recess to Closed Session in accordance with The Ralph M. Brown Act, Government Code sections 54950 et seq., and the Education Code to discuss the matters on the posted Closed Session agenda pursuant to Government Code section 54954.5 (see Attachment A).

APPROVED: 6 Ayes

The regular meeting recessed to Closed Session at 12:46 p.m.

(Trustee Pearlman and Student Trustee Barrero arrived at 12:48 p.m.)

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 3:16 p.m. with President Miguel Santiago presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Tina Park, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Student Trustee Amber I. Barrero was present.

Chancellor Daniel J. LaVista was present.

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

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

Mr. Abel Rodriguez, Union Steward, SEIU Local 721, expressed his appreciation to Dr. Rose Marie Joyce, Interim President, West Los Angeles College (WLAC) for the support she provided to the employees of WLAC during her presidency.

PUBLIC AGENDA REQUESTS (Category A)

Oral Presentations

None.

Proposed Actions

None.

REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS

Chancellor LaVista expressed his appreciation to Dr. Joyce for her leadership and her involvement in bond program issues and accreditation. He presented Dr. Joyce with a bouquet of flowers.

Dr. Joyce expressed her appreciation for the opportunity to serve as Interim President and for the support she received from the faculty and staff of WLAC.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

The following reports to the LACCD governing board, 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 27, 2011

President Santiago indicated that The Ralph M. Brown Act requires that certain matters be reported out for Closed Session.

With regard to a claim for additional construction work at Los Angeles Valley College, the Board authorized the payment of \$130,000 to PWCI as the compromise of a claim with regard to the Child Development Center. The vote was six in favor with Trustee Svonkin voting no.

No further actions that were taken needed to be reported.

Reports of Standing and Special Committees

Trustee Veres reported on the morning's Institutional Effectiveness Committee meeting.

With respect to the Finance and Audit Committee meeting that is scheduled to take place following today's Board meeting, Trustee Svonkin reported that the Committee will focus on ways to save money.

CONSENT CALENDAR

Matters Requiring a Majority Vote

President Santiago entertained a motion to adopt the Consent Calendar on Matters Requiring a Majority Vote as amended.

Motion by Trustee Field, seconded by Trustee Park, to adopt the Consent Calendar on Matters Requiring a Majority Vote.

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

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

RECOMMENDATIONS FROM THE CHANCELLOR

None.

RECESS TO CAPITAL CONSTRUCTION COMMITTEE

Motion by Trustee Svonkin, seconded by Trustee Field, to recess to the Capital Construction Committee.

President Santiago indicated that Trustee Veres has been appointed as Chair of the Capital Construction Committee. He reported that a Board Retreat will be scheduled in the early part of the current fiscal year.

Student Trustee Advisory Vote: Aye (Barrero)
APPROVED: 7 Ayes

President Santiago relinquished the gavel to Trustee Veres to chair the Capital Construction Committee.

The regular meeting recessed to the Capital Construction Committee at 3:30 p.m.

For the record, Trustee Veres noted that all of the Board members were present.

LEED™ and Parking Structure Projects – Presentation & Approval

None.

Non- LEED™ Renovation or Infrastructure Projects – Presentation & Approval

City College – Da Vinci Hall, Design-Bid-Build (design-bid-build, \$13 million)

A document entitled “Capital Construction Committee (CCC) Meeting Submittal Form (Design-Bid-Build Project)” was distributed.

Mr. Thomas Hall, Interim Executive Director, Facilities Planning and Development, deferred to Dr. Jamillah Moore, President, Los Angeles City College (LACC).

Dr. Moore deferred to Mr. Christopher Dunne, Project Director, Harris & Associates, and College Project Manager, LACC.

A document entitled “Da Vinci Hall Modernization” was distributed.

Mr. Dunne gave a PowerPoint presentation regarding the Da Vinci Hall modernization project. He introduced Mr. Brent T. Miller, AIA, Principal, Harley Ellis Devereaux.

Mr. Miller gave a fly-through presentation of the project.

A question and answer session was conducted regarding the Da Vinci Hall project.

Chancellor LaVista inquired as to the Art Department’s view of where art education is headed in the future and how the renovated facility reflects that view.

Dr. Moore indicated that she would obtain this information and provide it to the Board.

Trustee Svonkin requested that the Board be provided with a list of the panel members that participated in the process to award the contract.

Mr. Dunne indicated that he would provide this information.

Motion by Trustee Svonkin, seconded by Trustee Field, to approve the LACC Da Vinci Hall project.

Student Trustee Advisory Vote: Aye (Barrero)

APPROVED: 7 Ayes

Trade-Tech – Campus-wide Americans with Disabilities Act (ADA) Improvements (design-bid-build, \$5.9 million)

A document entitled “Capital Construction Committee (CCC) Meeting Submittal Form (Design-Bid-Build Project)” was distributed.

Dr. Roland Chapdelaine, President, Los Angeles Trade-Technical College (LATTC), introduced Mr. Deba P. Mohapatra, Campus Project Manager, Anil Verma Associates, Inc.

A document Transportation & Accessibility Improvements – ADA Transition” was distributed.

Mr. Mohapatra introduced Mr. Barton Anderson, AIA, Principal, PBWS Architects, who gave a PowerPoint presentation regarding the Campus-wide ADA Improvements project.

Motion by Trustee Svonkin, seconded by Trustee Field, to approve the LATTC Campus-wide ADA Improvements project.

Student Trustee Advisory Vote: Aye (Barrero)

APPROVED: 7 Ayes

Presentations/Initiatives

Mission College Renewable Energy Program Update

A document entitled “Mission PV Project” was distributed.

Mr. Hall indicated that this is for “information only” and no vote will be taken. He indicated that the Los Angeles Department of Water and Power (LADWP) has changed the way they are awarding incentives. Therefore, the District is no longer able to use the financial structure that was approved in December 2010. A Board action will be presented at a future Board meeting to amend the existing agreement if the Board decides to go forward. He discussed the document with respect to the proposed new financial structure.

A question and answer session was conducted regarding the Los Angeles Mission College (LAMC) PV project with respect to the DWP incentive.

Trustee Veres indicated that this item will be brought back for further discussion at the regularly scheduled Board meeting of August 10, 2011.

Contract Accountability and Legal Remedy Overview

A document entitled “Managing Sub-Standard Performance” was distributed.

Mr. Hall introduced Mr. Stephen Densmore, Attorney, Heyman Densmore LLP.

Mr. Densmore discussed the document with respect to managing sub-standard performance before project completion, after project completion, and before the next project commences.

A question and answer session was conducted regarding the process for managing sub-standard performance and the pre-qualification process with respect to bidders.

President Santiago requested that a pre-qualification policy be developed for all of the District's bond project contracts.

There being no objection, Trustee Veres indicated that a pre-qualification policy would be developed.

The question and answer session continued.

Inspector General Quarterly Update

A document entitled "Inspector General Update to the Board of Trustees" was distributed.

Ms. Christine Marez, LACCD Inspector General, gave a PowerPoint presentation and discussed the document with respect to the Office of the Inspector General (OIG) bond program overview, key milestones; OIG standards and protocols; OIG work effort reviews, audits, and investigations; annual work plan priorities and investigations; the status of specific reviews and audits, and bond program fraud risk assessment. She indicated that the next update will be presented in September 2011.

A question and answer session was conducted regarding the Inspector General Update.

Trustee Svonkin requested that the Board be provided with copies of the investigation reports.

Ms. Marez indicated that she would provide copies of the completed investigation reports as well as the preliminary investigation reports for which there is no further action required.

Trustee Park requested that the Board be provided with the general ledger from Build—LACCD for each project in order to see how much money has been expended and how much is remaining.

Ms. Jeanette Gordon, Chief Financial Officer/Treasurer, indicated that she would provide this information.

The question and answer session continued.

Bond Program Construction Update

Bi-monthly Districtwide Construction Status Report (handout only)

A document entitled "Bond Program Construction Update" was distributed.

Mr. Hall indicated that this is an informational item for the Board members' review.

Future Presentation/Initiative Reviews

Chancellor LaVista noted that the following items will be presented at a future Capital Construction Committee meeting:

- Conflict of Interest Presentation
- e7 Program Update
- Construction Economic Forecast
- Evaluation Process
- Design-Build Procurement Process

Chancellor LaVista summarized the topics that were discussed and offered clarifying statements. He encouraged the Board members to take advantage of the structural resources that they have at their disposal rather than creating new ones.

New Business

None.

Future Discussion Items

Trustee Veres indicated that future discussion items will include a study report regarding Van de Kamp, an update of the industrial grade audits for energy efficiency at all nine campuses, pre-qualifications, financial accountability, and conflicts of interest.

Adjourn

Motion by Trustee Santiago, seconded by Trustee Svonkin, to adjourn the Capital Construction Committee meeting.

Without objection, so ordered.

The Capital Construction Committee meeting adjourned at 5:30 p.m.

Trustee Veres relinquished the gavel to President Santiago.

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 5:30 p.m. with President Miguel Santiago presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Tina Park, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Student Trustee Amber I. Barrero was present.

Chancellor Daniel J. LaVista was present.

NOTICE REPORTS AND INFORMATIVES

Com. No. HRD/A. [Collective Bargaining Informative] Additional Proposal of the Los Angeles College Faculty Guild, Local 1521; the AFT College Staff Guild, Local 1521A; the Los Angeles Community College District Administrators' Unit Represented by California Teamsters Public. Professional & Medical Employees-Union Local 911; the Service Employees International Union, Local 99; the Service Employees International Union Local 721; the Los Angeles/Orange Counties Building and Construction Trades Council to the Los Angeles Community College District for Negotiation of the Master Benefits Agreement

Presented by Chancellor LaVista.

Com. No. HRD/B. [Collective Bargaining Notice] District's Additional Proposal to the Exclusive Representatives of the District's Employees Regarding Negotiation of the Master Benefits Agreement

Noticed by Chancellor LaVista.

Com. No. HRD/C. [Collective Bargaining Informative] Correction to the District's Initial Proposal to the Exclusive Representatives of the AFT College Staff Guild, Local 1521A

Presented by Chancellor LaVista.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

Ms. Joanne Waddell, President, Los Angeles College Faculty Guild, announced that the signing of the California Dream Act took place this morning at LACC. She further announced that Ms. Velma Butler, President, AFT College Staff Guild, and hundreds of labor and community activists participated in a march today in downtown Los Angeles in support of grocery workers.

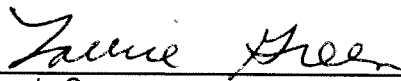
ADJOURNMENT

Motion by Trustee Pearlman, seconded by Trustee Field, to adjourn in memory of the father of Dr. A. Susan Carleo, President, Los Angeles Valley College.


Without objection, so ordered.

The regular meeting adjourned at 5:35 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:


Miguel Santiago
President of the Board

Date September 7, 2011



Board of Trustees

LOS ANGELES COMMUNITY COLLEGE DISTRICT
770 Wilshire Boulevard, Los Angeles, CA 90017 213/891-2000

AGENDA

ATTACHMENT A

CLOSED SESSION

Wednesday, July 27, 2011
12:30 p.m.

**Educational Services Center
770 Wilshire Boulevard
Los Angeles, CA 90017**

- I. **Public Employment**
(pursuant to Government Code section 54957)
 - A. President, East Los Angeles College

- II. **Conference with Labor Negotiator**
(pursuant to Government Code section 54957.6)
 - A. District Negotiators: Adriana D. Barrera
Employee Units: All Units
All Unrepresented Employees

 - B. District Negotiators: Ken Takeda
Employee Unit: Building and Trades

 - C. District Negotiators: Sue Carleo
Employee Unit: Academic Administrators

 - D. District Negotiators: Mary Gallagher
Employee Unit: Clerical/Technical

 - E. District Negotiators: Michael Shanahan
Employee Unit: Supervisory

F. District Negotiators: Michael Shanahan

Employee Unit: Local 99

G. District Negotiators: Rose Marie Joyce

Employee Unit: Faculty

III. Public Employee Discipline/Dismissal/Release/Charges/Complaints
(pursuant to Government Code section 54957)

IV. Conference with Legal Counsel - Existing Litigation
(pursuant to Government Code section 54956.9 (a))

A. *Powell v. LACCD*

B. *Sornborger v. LACCD*

V. Conference with Legal Counsel - Anticipated Litigation
(pursuant to Government Code section 54956.9 (b))

A. Potential Litigation - 3 matters

B. Claim for additional construction work for Los Angeles Valley College
Child Development Center

**VI. Discussion with Real Property Negotiator as may be announced prior to
closed session** (pursuant to Government Code section 54956.8)

VII. Other litigation matters as may be announced prior to the closed session
(pursuant to Government Code section 54956.9)